











ACTS  
AND  
LAWS  
OF THE  
COMMONWEALTH  
OF  
MASSACHUSETTS.

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BOSTON:

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# ACTS AND LAWS,

PASSED BY THE GENERAL COURT OF MASSACHUSETTS:  
BEGUN AND HELD AT BOSTON, IN THE COUNTY OF  
SUFFOLK, ON WEDNESDAY THE THIRTIETH DAY OF  
MAY, ANNO DOMINI, 1792.

## 1792.—Chapter 1.

[May Session, ch. 1.]

AN ACT PERMITTING THE NATURALIZATION OF PERSONS PRO-  
SCRIBED BY ANY LAW OF THIS COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that all persons proscribed by any Law or Laws of this Commonwealth may be naturalized and admitted as Citizens, in the same manner and on the same conditions as are directed and provided in case of other Aliens, in and by an Act of the United States in Congress assembled, entitled, “An Act to establish an uniform rule of Naturalization;” any Law or Resolve to the contrary notwithstanding: *Provided* that the previous proceedings at a common law Court of record, required by that Act, be had before some such Court within this Commonwealth.

Proscribed persons naturalized.

Proviso.

June 9, 1792.\*

## 1792.—Chapter 2.

[May Session, ch. 2.]

AN ACT TO REPEAL AN ACT, ENTITLED, “AN ACT TO INVEST THE COMMITTEE OF THE SECOND PRECINCT IN REHOBOTH WITH CORPORATE POWERS FOR CERTAIN PURPOSES THEREIN MENTIONED” AND TO INCORPORATE A NUMBER OF THE INHABITANTS OF SAID PRECINCT BY THE NAME OF THE CATHOLICK CONGREGATIONAL CHURCH AND SOCIETY IN THE SECOND PRECINCT IN THE TOWN OF REHOBOTH.

*Whereas it appears to this Court that the Congregational Church & Society within the said Precinct whereof the*

Preamble.

\* This act not signed by governor.

*Revd. Robert Rogerson is the present minister, have built a meeting house at their own expence, & are in possession of considerable real estate generously given by Epharim Hunt deceased for the purpose of supporting the Congregational ministry in said Church and Society. Therefore*

Act repealed.

*Be it Enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that the said Act, entitled, "An Act to invest the Committee of the second precinct in Rehoboth with corporate powers for certain purposes therein mentioned," passed in the year of Our Lord, One thousand seven hundred and sixty one, be, & it is hereby repealed.*

Persons incorporated.

*And be it further Enacted, that the Revd. Robert Rogerson, Joshua Smith, John Brown, Ephraim Bliss, Seth Knap, Samuel Bullock, Abiah Bliss, Thomas Carpenter the second, Jonathan Bliss, Abdiel Bliss, Nathan Bliss, Peter Reed, Samuel Bliss, David Cushing, Uriel Bowen, Peter Bliss, Ezekiel Reed, Ezra Perry, Elisha Allen, Joseph Kent, Daniel Martin, Christopher Carpenter, Joseph Wheaton, William Bullock, Ephraim Bliss junr, Samuel Carpenter, Abiah Carpenter, Thomas Carpenter the fourth, Joseph Wheaton the second, Phillip Walker, Jacob Cushing, Ezekiel Kent, Ephraim Turner, Samuel Reed, Joshua Reed, Abel Perry, Samuel Bliss the second, Oliver Bliss, Thomas Smith, Abel Carpenter the second, David Bliss, Amos Lane, Aaron Fuller, Isaac Fowler, Thomas Carpenter the third, James Bliss, Joshua Smith junr, Abdiel Bliss junr, David Bliss the second, Isaiah Allen, Abel Bliss, James Carpenter the second, Robert Follet, Lewis Ormsbe, Abiah Bliss junr, Ezra Perry junr, Timothy Perry, Isaac Burr, Nathan Munroe, Jonathan Bliss junr, James Bliss the second, Simeon Bliss, Joseph Smith, Ebenezer Fuller, Nathaniel Fuller, Josiah Cushing, Joshua Bliss the second, Obediah Bliss, John Adams, Joseph Willmarth, Christopher Blanding, Daniel Willmarth, David Newman, Samuel Newman, Kent Bullock, Nathaniel Peirce, Eleazer Bullock, Samuel Smith the second, Wilks Walker, John Rogerson, Ebenezer Short, Nathan Smith, Thomas Lincoln, Stephen Carpenter, Robert King, Joshua Carpenter, Nathaniel Bliss & William Bliss, & all such other inhabitants of said precinct, as shall hereafter by a major vote of said Society be admitted as members of said Society at a regular meeting of the qualified voters called for that purpose, be, and they*



hereby are incorporated into a distinct religious society by the name of the Catholick Congregational Church and Society in the second precinct in the Town of Rehoboth, and hereby are invested with all the powers, priviledges and immunities that Precincts and parishes within this Commonwealth do or may by law enjoy; and the Clerk of said Society shall from time to time record the names of all persons who shall become members thereof, in a Book to be kept for that purpose; and when any member of that Society shall request a dismission therefrom and signify the same in writing to the said Clerk, he shall make a record thereof, and such person shall no longer be considered as a member of said Society.

*And be it further Enacted*, that Thomas Carpenter the second, Samuel Bullock, Jonathan Bliss, Jacob Cushing & Thomas Carpenter the third, the present trustees of the said Precinct, and such as may be hereafter annually chosen by said Society as Trustees, shall be, and they hereby are empowered by the name of the Trustees of the Catholick Congregational Church and Society in the second precinct in Rehoboth, to receive all the donations and subscriptions, both real and personal, now in the hands of the Trustees of said precinct; and also such other grants, appropriations and donations real or personal, as have been, or shall hereafter be made for the purposes aforesaid, *Provided* that the annual income of the whole shall never exceed one hundred & fifty pounds; & the said Trustees shall apply the rents issues and profits or so much thereof as the Society shall find necessary, for the support of a pious, learned, congregational minister settled in the work of the ministry in said Society.

*Provided nevertheless*, that if it shall hereafter so happen, that there shall be no such minister settled in the said Society, then, in every such case the income arising in such vacation shall be used and improved to supply said Society with a religious preacher; and if there shall be at any time a surplussage for the purposes aforesaid, all such surpluss shall be & hereby is appropriated, & shall be used and improved by the said Society, for building or repairing their Meeting House, or towards the support of a School for the benefit of the Society as they shall direct.

*And be it further Enacted*, that all bonds, mortgages & other lawful securities duly made & executed to the present Trustees of said precinct or their predecessors in that

Trustees appointed.

—empowered.

Proviso.

—their power.

Office, shall be considered as good and valid to all intents & purposes, & may be sued for and recovered for the use of said Society, by the Trustees thereof, or their successors in said Office, in the same manner as the said bonds mortgages & other securities might have been sued for and recovered by the said Trustees of the said Precinct, if this Act had not passed, & the Trustees of said Society and their successors, by their name aforesaid, may sue and be sued & are hereby fully authorized by themselves or by their Agents or Attornies, to appear, plead and defend in any action or suit brought by or against them in their said capacity, and the same may prosecute to final judgment & execution in any Court proper to try the same.

Society to  
choose Trustees  
annually.

Trustees to be  
accountable &  
removeable.

*And be it further Enacted*, that the said Society at their annual meeting in March or April are hereby fully authorized to chuse five Trustees for the year ensuing & untill others are duly chosen & qualified in their stead; and the Trustees of said Society & their Successors shall at all times be accountable to said Society, and may be by them, for any misdemeanor or failure in their trust, removed from their office; & in case of death, resignation or removal of any one or more of them, it shall be lawful for said Society to appoint others in their room; & the Trustees of said Society may at any time call a meeting for that purpose.

— to call meet-  
ings.

*And be it further enacted*, that the Trustees of said Society and their successors in office be, and hereby are empowered and directed to call a meeting of said Society sometime in the month of March or April annually, to chuse Trustees, a Treasurer & Clerk, and to transact such other matters as shall be for the benefit & well being of the said Society, which meeting shall be called by Warrant from the major part of the Trustees for the time being, directed to the Clerk of the said Society, containing all the particulars to be acted upon at said meeting; & the said Clerk shall notify the same, by posting up a Notification thereof at the meeting house where said Society usually meet for public worship, at least ten days before the time appointed for holding said meeting.

Justice impow-  
ered in case.

*And be it further Enacted*, that if the Trustees of said Society shall at any time neglect or refuse to call a meeting of the said Society when thereunto requested in writing by five or more members of the said Society, in that case upon the request of five or more members of the said

Society made in writing to any Justice of the Peace for the County of Bristol, such Justice is hereby impowered to issue his Warrant, directed to some principal member of said Society directing him to notify a meeting as is before directed, to act on the particulars mentioned in said request.

*Approved June 19, 1792.*

### 1792. — Chapter 3.

[May Session, ch. 3.]

AN ACT IN ADDITION TO AN ACT, INTITLED "AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER IN THE COUNTY OF ESSEX AND FOR SUPPORTING THE SAME."

*Whereas the Directors of Essex-Merrimack Bridge have petitioned this Court, setting forth, that in the execution of the said undertaking, sundry inconveniences have arisen to them from the particular restrictions of the said act, respecting the form of the said Bridge, and praying the interposition of this Court for the removal of the same:*

Preamble.

*Be it therefore Enacted by the Senate & House of Representatives in General Court assembled and by the authority of the same,* that in the building and compleating of the said Bridge, any alterations from the limitations and restrictions of the said act, so far as the same respect that part of the said Bridge which lies between Deer Island and Salisbury, be, and hereby are authorized and allowed any thing in the said act to the contrary notwithstanding:

Directors empowered with conditional alterations.

*Provided nevertheless,* that there shall be one arch at least one hundred & ten feet wide and a convenient draw for the passing of Vessels at least forty feet wide; and *provided* also, that there shall not be in the whole, less vacancy for the Passage of the Water, than in and by the said act is required.

Proviso.

*And be it further enacted by the authority aforesaid* that the crown of the arch to be erected between Newbury & Deer Island, may be not less than thirty six feet high & that each of the abutments thereof may be not less than twenty four feet and an half high, above common high water mark; & that braces or shores may be placed from the abutments of the said arch at four feet and an half from common high water mark to pass up to the said arch at not more than forty eight feet distance from the top of the said abutments, any thing in the said act to the contrary notwithstanding.

Dimensions of the arch.

*Approved June 22, 1792.*

## 1792. — Chapter 4.

[May Session, ch. 4.]

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE CONGREGATIONAL SOCIETY IN THE FIRST PRECINCT IN THE TOWN OF REHOBOTH IN THE COUNTY OF BRISTOL WHEREOF THE REYD. JOHN ELLIS IS THE PRESENT PASTOR, —AND FOR REPEALING AN ACT MADE AND PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED & SIXTY TWO, INTITLED “AN ACT TO INVEST THE COMMITTEE OF THE FIRST PRECINCT IN REHOBOTH WITH CORPORATE POWERS FOR CERTAIN PURPOSES THEREIN MENTIONED.”

Preamble.

*Whereas in and by said Act the said precinct in their corporate capacity are authorized annually to appoint a Committee who shall be a body corporate by the name of the Trustees of the First Precinct in Rehoboth, with power and authority to receive the sum of six hundred pounds & the same to manage & conduct until the same with other additional funds shall amount to the sum of twelve hundred pounds & the interest of said fund to appropriate & pay to the Minister of the Congregational Church residing and officiating in the work of the ministry within the said precinct forever: And whereas from a change in the religious sentiments & professions of the inhabitants of said precinct, those who constitute said Church & are adherents to the congregational order or denomination of Christians are become the minority of the inhabitants of said precinct, by means whereof the fitness and propriety of said precinct's appointing said Committee or Trustees ceases — And the persons hereafter named being the Church aforesaid and principal part of said Congregational order or denomination of Christians, having petitioned this Court to be incorporated for the purpose of managing & conducting the funds and estate of every description holden for or belonging to the said Congregational Society, or appropriated to the support of a Minister of the Congregational Church residing & officiating in the work of the ministry within the said precinct. —*

Act repealed.

*Therefore be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that the afore recited Act and every clause & part thereof be and hereby is repealed.*

Persons incorporated.

*And be it further Enacted that John Hunt, Nathaniel Titus, Nathan Read, Ebenezer Carpenter, John Lindley,*



James Lee, Ebenezer Bishop, Jesse Perin, Moses Walker, Elijah Kent, Oliver Read, Richard Whitaker, Nathaniel Brown, Nathaniel Read, Jonathan Robinson, Elisha Carpenter, Asahel Carpenter, Daniel Carpenter, James Mason, David Perin, Ephraim Starkweather, Ephraim Walker, James French, John French, Nathaniel Chaffee, Benajah Sheldon, Samuel Brown, Jonathan Carpenter, John Shorey, Jacob Shorey, Simeon Read, Eliphalet Slack, Samuel Smith, Abiel Read, David Cooper, Simeon Goffe Remember Kent, David Kennedy, Comfort Bishop, John Comer, Lewis Walker, George Allen, Nathan Read junior, Peter Hunt, Nathaniel Hunt, Josiah Hunt, Daniel Perin, Thomas Perin, Noah Perin, Oliver Starkweather, Samuel Dixon, Samuel Stephens, Stephen Russell, James French junior, Ebenezer French, Nathan Daggett, Abel Shorey, Abel Shorey second, David Robinson, Peter Whitaker, Amos Whitaker, Jonathan Brown, Daniel Chaffee, Moses Walker junior, David Newman, Samuel Brown junior, Josiah Brown, Ephraim Carpenter, Otis Walker, Noah Robinson, and Edward Ide and all such other inhabitants of the said first precinct in Rehoboth as may by a major vote of the Society hereby constituted be admitted to the benefits thereof at a regular meeting of the qualified voters called for that purpose; be and they hereby are incorporated into a distinct religious Society by the name of the Congregational Society in the first Precinct in the town of Rehoboth, and are hereby invested with all the powers privileges and immunities that precincts or parishes within this Commonwealth do or may enjoy; and the Clerk of said Society shall from time to time record the names of all persons who shall become members thereof in a book to be kept for that purpose: And when any member of said Society shall request a dismissal therefrom & signify the same in writing to the said Clerk, he shall make a record thereof, and such person shall no longer be considered as a member of said Society.

*And be it further Enacted* that John Hunt, Nathaniel Titus, Elijah Kent, Asahel Carpenter & Eliphalet Slack & such others as may be hereafter annually chosen by said Society as Trustees shall be and they are hereby impowered by the name of the Trustees of the Congregational Society in the first precinct in Rehoboth to take, hold, receive and manage all the estate and rights of property of every kind both real and personal which

Trustees appointed and impowered.

now do or hereafter may appertain and belong to the Congregational Society or are legally appropriated to the use and support of a Congregational Minister in the first precinct in Rehoboth, and also such other grants appropriations and donations real or personal as have been or shall hereafter be made for the purposes aforesaid, *Provided* that the annual income of the whole shall never exceed one hundred and fifty pounds; and the said Trustees shall apply the rents, issues and profits or so much thereof as the said Society shall find necessary for the support of a pious, learned, orthodox, Congregational Minister residing and officiating in the work of the ministry in said Society:—

Proviso.

*Provided nevertheless* that if it shall hereafter so happen that there shall be no such Minister settled in the said Society, then and in every such case, the income arising in such vacation shall be used and improved to supply said Society with a religious Preacher; and if there shall be at any time a surplussage for the purpose aforesaid, all such surplussage shall be hereby appropriated and shall be used and improved by the said Society for building or repairing their meeting-house or for the support of a school for the benefit of the said Society as they shall direct.

—their power.

*And be it further Enacted*, that the said Trustees in their aforesaid capacity are hereby fully authorized and empowered to sue and be sued, to plead and be impleaded to answer and to be answered unto to defend & be defended against in all Courts and places and before all proper Judges whatsoever in all and singular suit and suits, causes and actions of what kind soever:—And if it shall so happen that the said Society shall become seized of lands or tenements by mortgage as security for payment of any debt or debts or by levying execution on lands or tenements for discharging any debt or debts that shall be due to the said Society, it shall be lawful for the Trustees aforesaid to sell and convey the lands and tenements acquired by either of the two ways last mentioned.

Society to  
choose Trustees  
annually.

*And be it further enacted* that the said Congregational Society at their annual meeting in the month of March or April are hereby fully authorized to choose five Trustees for the year ensuing and to continue in office, until others are duly chosen & qualified to act in their stead: And the said Trustees and their successors shall at all times be accountable to said Society and may be by them for any

Trustees to be  
accountable &  
removable.



misdemeanor or failure in their trust, removed from their office, and in cases of death resignation or removal of any one or more of them it shall be lawful for said Society to appoint others in their room, and the Trustees of said Society may at any time call a meeting for that purpose.

*And be it further Enacted* that the Trustees of the said Congregational Society and their Successors in office be and they are hereby impowered and directed to call a meeting of said Congregational Society some time in the months of March or April annually, to choose Trustees, Treasurer and Clerk and to transact such other matters as shall be for the benefit and well being of the said Society, which meeting shall be called by warrant from the major part of the Trustees for the time being directed to the Clerk of the said Society, containing all the particulars to be acted upon at said meeting; and the said Clerk shall notify the same by posting up a notification thereof at the meeting house where the said Society usually meet for public worship, at least ten days before the time appointed for holding said meeting.

*Be it further Enacted* that if the Trustees of said Society shall at any time neglect or refuse to call a meeting of said Society when thereunto requested in writing, by five or more of said Society, then and in that case, upon the request of five or more Members of said Society made in writing to any Justice of the peace for the County of Bristol, such Justice is hereby impowered to issue his warrant directed to some principal member of said Society, directing him to notify a meeting as is before directed to act upon such particular articles as are mentioned in said warrant.

*Approved June 23, 1792.*

## Chapter 5.

[May Session, ch. 5.]

AN ACT FOR INCORPORATING A NUMBER OF THE INHABITANTS OF THE TOWN OF NEW BEDFORD IN THE COUNTY OF BRISTOL INTO A SEPERATE PARISH.

*Whereas a number of the Inhabitants of the southerly part of New Bedford, have petitioned this Court to be incorporated into a seperate Precinct, by the name of the second Precinct in New Bedford; and it appearing to this Court reasonable that the prayer of said Petition be granted.*

Preamble.

Parish in New-  
Bedford, incor-  
porated.

*Be it therefore enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same,* that the inhabitants of the southerly part of the Precinct of New Bedford, beginning at the north-west corner bound of the homestead farm of Thomas Nye late deceased, thence running in the north line of said farm to the east end thereof, thence on the same course to Rochester line, thence southerly in said line till it comes to the Waters of Buzzard's Bay, thence easterly & northerly by the waters of said Bay & the easterly side of the harbour of New Bedford to the bound first mentioned, including all the lands with the inhabitants living thereon, & their estates within the town of New Bedford south of the first mentioned line, together with Jeremiah Mayhew, William Claghorn, and John Gerrish, living on the westerly side of said harbour, with their families & estates be, and they hereby are incorporated into a seperate Parish, by the name of the second Precinct in New Bedford with all the powers, priviledges & immunities, which other precincts in this Commonwealth are intituled to by law.

Limited time for  
remaining in the  
first Parish.

*Be it enacted by the authority aforesaid,* that any of the inhabitants within the said second Precinct who shall lodge their names with the Precinct Clerk of the first Parish in said Town, within two months from the passing this Act, expressing their desire to remain & belong to the first Parish, shall have liberty to belong thereto.

Lemuel Wil-  
liams, Esq to  
issue warrant.

*Be it further Enacted by the authority aforesaid,* that Lemuel Williams esqr. be, & he hereby is authorized to issue his Warrant, directed to some principal inhabitant within the second Precinct aforesaid, requiring him to warn the inhabitants of said second Precinct, qualified by law to vote in Precinct meetings, to assemble at some suitable time & place in said town, to chuse such officers as Precincts are by law impowered to chuse in the month of March or April annually; & to transact all matters and things necessary & lawful to be done in the said precinct.

*Approved June 23, 1792.*

## 1792. — Chapter 6.

[May Session, ch. 6.]

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF  
THE PRESIDENT AND DIRECTORS OF THE UNION BANK.

Preamble.

*Whereas Stephen Higginson and others have in their petition to this Court proposed to raise a fund for the*

*establishment of a Bank, and are already in possession of partial deposits therefor:*

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that Stephen Higginson, Caleb Davis, William Tudor, Oliver Wendell, Nathaniel Fellows, Joseph Coolidge, William Smith, Joseph Blake, Frederick William Geyer, Daniel Hubbard and David Greene, their associates successors and assigns shall be and they hereby are created a Corporation and Body Politic by the name and stile of "The President and Directors of the Union Bank," and shall so continue until the first monday of October one thousand eight hundred & two, and by the name aforesaid, the said Corporation shall be and they hereby are made able and capable in law to sue & be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in Courts of record or any other place whatever, and also to make, have and use a common Seal, and the same again at pleasure to break alter & renew, and also to ordain, establish and put in execution such bye laws ordinances and regulations as to them shall seem necessary and convenient for the Government of said Corporation and the prudent management of their affairs; *provided* such bye laws and regulations shall be in no wise contrary to the laws and Constitution of the Commonwealth, and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Persons incorporated.

Their powers.

Proviso.

*Be it further enacted by the authority aforesaid* that the Capital Stock of said Corporation shall consist of a sum not less than four hundred thousand dollars nor more than eight hundred thousand dollars in specie & shall be divided into one hundred thousand shares, and the evidence of the deposits already made and held by the Petitioners and their associates, shall be considered and received as evidence of deposits in the Bank herein established; and the Stockholders at their first meeting shall by a majority of votes, determine the amount of the payments to be made on each share, and the mode of transferring and disposing of the stock and profits thereof, *provided* the same shall not in any way directly or indirectly depend on the contingency of lives, which being entered in the books of said Corporation shall be binding upon the Stockholders, their successors and assigns, *provided however* that the payments so agreed to be made shall not form a Stock

Limitation of their capital stock.

Stockholders to determine respecting payments.

Provisos.

consisting of less than four hundred thousand dollars, nor more than eight hundred thousand dollars as aforesaid; and the sum that shall thereupon remain to be paid shall be paid in by the following installments — One third part thereof on or before the first day of October next, one other third part thereof on or before the first day of April next, and the remaining third part thereof, on or before the first day of October one thousand seven hundred and ninety three, — and in case any of the stockholders in said Corporation shall fail to compleat any of their future payments they shall forfeit their former payments to the use of the Corporation aforesaid; *provided also* if any interest rents or profits of this Bank shall be used or improved to facilitate the operations of the Tontine association or any other association founded on similar principles that thereupon this Act shall become void.

Method of pay-  
ments.

Proviso.

Method of  
legally possess-  
ing and dispos-  
ing of estates.

*Be it further enacted by the authority aforesaid*, that the said Corporation by the name aforesaid shall be, and they hereby are declared able and capable in law to have, hold, purchase, receive, possess enjoy & retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of two hundred thousand dollars, and no more at any one time, and also monies, goods, chattels and effects to the amount of two millions of [of] dollars, and no more including their original Stock and to sell, bargain, grant, demise, alien, or dispose of the same lands, rents and tenements and to loan negotiate and dispose of said monies, goods, chattels and effects by taking mortgages on lands, and by discounting on banking principles on such security as they shall think adviseable.

Constitutional  
articles.

*Be it further enacted by the authority aforesaid*, that the following Rules, regulations, restrictions, limitations and provisions shall form and be fundamental articles of the Constitution of said Body politic, *Vizt.*

Appropriations.

First — That one fifth part of the whole funds of this Bank shall be always appropriated to Loans to be made to Citizens of this Commonwealth, not resident in the Town of Boston, and wherein the Directors shall wholly and exclusively regard the Agricultural interest, which loans shall be made in sums of not less than one hundred dollars nor more than one thousand dollars, and upon the personal bond or note of the borrower with collateral security by a sufficient mortgage of real estate for a term not less than one year and on condition of paying the



interest annually on such loans subject to such forfeiture and right of redemption as by law is provided.

Second — The said Corporation shall not owe at any one time more than twice the amount of their Capital Stock, in addition to the simple amount of all monies actually deposited in said Bank for safe keeping, and in case of any excess the Directors under whose administration it shall happen shall be liable for the same in their private capacity; but this shall not be construed to exempt the said Corporation or any estate real or personal which they may hold as a body corporate from being also liable for and chargeable with such excess.

Corporation may be indebted in a limited sum.

Third — That the lands, tenements and hereditaments which said Corporation shall hold, shall be only such as shall be requisite for the convenient transaction of it's business, and such as shall have been *bona fide* mortgaged to it by way of Security or conveyed to it by way of satisfaction of debts previously contracted.

Estates held for conveniency.

Fourth — That said Corporation shall not vest use or improve any of their monies goods chattels or effects in trade or commerce, but may sell all kinds of personal pledges lodged in their hands by way of security to an amount sufficient to reimburse the sum loaned.

— not to be used in commerce.

Fifth — That for the well ordering of the affairs of said Corporation a meeting of the Stockholders shall be held in Boston or at such other place as the Stockholders shall direct on the first monday of September annually, & at any other time during the continuance of said Corporation at such house and at such hour of the day as shall be appointed by the President and Directors for the time being by notifications in two public news papers in the Town of Boston, three weeks successively before the time appointed for such meeting at which annual meeting there shall be chosen by ballot Twelve Directors who shall continue in office the year ensuing their election.

Time and place of the meeting of Stockholders.

Sixth — None but a Member of said Corporation being a Citizen of this Commonwealth & resident therein shall be eligible to the office of a Director or Cashier.

Cashier must be a member.

Seventh — No Director of any other Bank shall be eligible to the office of a Director in this Bank, although he may be a Stockholder herein, and any Director accepting an office in any other Bank shall be deemed to have vacated his place in this Bank.

No Director to hold an office in any other Bank.

Eighth — No Stockholder in said Bank shall be considered as qualified to vote in the election of the Officers

Interest requisite to qualify an Elector.

- of said Bank, or in any of the affairs thereof, unless he shall be interested therein to the amount of one hundred dollars, and the Stockholders thus qualified shall vote in proportion to their property in the following ratio, that is to say, every holder of one hundred dollars shall have one vote and every two hundred dollars above one hundred dollars shall give a right to one vote more, *provided* that no one Member shall have more than Ten votes, and absent Members may vote by proxy authorized in writing, and in all elections in the first instance a majority of votes shall be necessary to determine the same, but in case of a second trial a plurality shall decide the vote.
- Proviso.** Ninth — The Directors shall chuse one of their own number to act as President.
- President to be a Director.** Tenth — No Director shall be entitled to any emolument for his services, but the Stockholders may make the President such Compensation, as to them shall appear reasonable.
- No director intitled to pay, except the President.** Eleventh — Not less than seven Directors shall constitute a Board for the transaction of business, of whom the President shall always be one except in case of sickness or necessary absence in which case the Directors present may chuse a Chairman for the time being.
- Number which constitute a Board.** Twelfth — Not more than three fourths of the Directors in Office exclusive of the President, shall be eligible for the next succeeding year, but the Director who shall be President at the time of an election may be re-elected.
- Directors eligible for the next election.** Thirteenth — The Cashier before he enters upon the duties of his office shall give bond with two or more sureties to the satisfaction of the Board of Directors in a sum not less than twenty thousand dollars, with condition for the faithful discharge of the duties of his office.
- Cashier to give bonds.** Fourteenth — All bills issued from the Bank aforesaid and signed by the President shall be binding on said Corporation, but it shall not be lawful for them to issue any bills of a less denomination than five dollars.
- Bills issued, to be binding.** Fifteenth — The Directors shall make half yearly dividends of all the profits, rents, premiums & interests of the Bank aforesaid.
- Dividends.** Sixteenth — The Directors shall have power to appoint a Cashier and such other Officers & Clerks for carrying on the business of the Bank with such salaries and allowances as to them shall seem meet.
- Directors empowered to choose officers.** Seventeenth — No loans shall be made by the Directors of said Corporation for the use, or on account of any
- Loans to foreigners forbidden, conditionally.**



foreign Prince or State, unless previously authorized by a law of this Commonwealth.

*And be it further enacted by the authority aforesaid,* that whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money not exceeding one hundred thousand dollars, reimbursable by five annual installments or at any shorter period at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum, *provided however* that the Commonwealth shall never at any one time stand indebted to said Corporation for a larger sum than one hundred thousand dollars.

Legislature may require loans, in a limited sum.

*And be it further enacted by the authority aforesaid,* that the principal seat of said Bank shall be in the Town of Boston or in such other place within this Commonwealth as the Stockholders shall direct, but the Directors may at any future period establish offices for the purpose of loans, discounts, and deposits in such other Towns within this Commonwealth, and commit the management thereof to such persons and under such regulations as to the Directors shall seem proper and advisable.

Stockholders empowered to appoint a principal place.

*And whereas it is repugnant to the principles of a free Government, that the property of any of its Citizens should be placed out of the reach of their just creditors;*

Preamble.

*Be it further enacted by the authority aforesaid* that the property of every individual member of said Corporation vested in said corporate funds shall be liable to attachment, and to the payment & satisfaction of his just debts to any of his *bona fide* creditors in manner following — *Vizt.* — In addition to the summons by law prescribed to be left with the debtor, a like summons shall be left with the Cashier of said Bank, and the debtor's shares in the said corporate funds together with the interests, rents and profits due and growing due thereon shall thereby be held to respond said suit according to law; and all transfers of the debtors shares not noted in the Bank books previous to the delivery of such summons shall be barred thereby; and execution may be levied upon the property of any Stockholder in said bank, and his shares therein be exposed to sale in the same manner as is by law provided where personal estate is taken in execution; and it shall be the duty of the Officer who extends such execution to leave an attested copy thereof with his doings thereon with the Cashier of said Bank,

Property in the Bank liable to attachments for the satisfaction of just debts.

and the purchaser shall thereupon be entitled to the reception of all dividends and stock, and to the same privileges as a member of said Corporation, that the debtor previously was intitled to, and upon any attachment being made or execution levied on any shares in said Bank, it shall be the duty of the Cashier of said Bank to expose the books of the Corporation to the Officer, and to furnish him with a certificate under his hand in his official capacity ascertaining the number of shares the debtor holds in said Bank, and the amount of the dividends thereon due.

Committee empowered.

*Be it further enacted by the authority aforesaid* that any Committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said Corporation and shall have free access to all their books — and if upon the report of such Committee it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them or failed to comply with any of the rules, restrictions and conditions in this Act provided, their incorporation shall thereupon be declared forfeited and void, & the same shall be announced by Proclamation from the Supreme Executive authority of the Commonwealth.

Incorporation declared void in case.

Interest of the Commonwealth therein.

*And be it further enacted* that this Commonwealth shall have a right to be interested in the said Bank in a proportion not exceeding one third of the whole amount thereof, including the sum which may be subscribed by the said Commonwealth, on such terms and on such conditions, and under such regulations as the Legislature shall hereafter determine. — *provided always*, that the profits of the said Commonwealth shall be in proportion to their deposits.

Persons authorized to call a meeting.

*And be it further enacted by the authority aforesaid*, that the persons herein before named or any three of them are authorized and directed to call a meeting of the members and Stockholders of said Corporation as soon as may be in Boston, by advertising the same for three weeks successively in the Independent Chronicle for the purpose of their electing a first Board of Directors, who shall continue in office 'till the first monday of October one thousand seven hundred and ninety three, that said Corporation may take effect as soon as may be.

*Approved June 25, 1792.*

1792. — Chapter 7.

[May Session, ch. 10.]

AN ACT IN ADDITION TO THE SEVERAL ACTS NOW IN FORCE WHICH RESPECT THE CARTING & TRANSPORTING GUN POWDER THROUGH THE STREETS OF THE TOWN OF BOSTON & THE STORAGE THEREOF IN THE SAME TOWN.

*Whereas the provisions in the said Acts made have been found insufficient to prevent the carting & transporting Gun Powder through the Streets of the said Town in a dangerous & alarming mode.* Preamble.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the authority of the same,* that from & after the first day of August next no Gun Powder shall be carried or transported to or from the Magazine within the said Town or through any of the Streets thereof in any quantity exceeding twenty five pounds, being the quantity allowed by Law to be kept in Shops for Sale, unless the same be carried & transported in a Waggon or carriage closely covered with leather or canvas, & without iron on any part thereof, to be first approved by the Firewards of said Town and marked in capitals, with the words, *Approved Powder Carriage* under the penalty of forfeiting all such Gun Powder, one moiety thereof to the use of the poor of the said Town & the other moiety to the use of him or them who shall inform & sue for the same. Method of carting gun powder.  
  
Penalty.

*And be it further enacted, by the authority aforesaid,* That all Gun Powder which shall be imported into the said Town of Boston from & after the said first day of August shall be landed at such place or places only & be carried to the Magazine aforesaid by such passage by Land or Water only as shall be directed & pointed out by the Firewards of the said Town under the penalty of forfeiting to the uses aforesaid all such Powder as shall be landed or conveyed otherwise than is in this Act provided — The Penalties & Forfeitures aforesaid to be sued for & recovered by Bill, Plaint or Information in any Court proper to try the same — And the Firewards aforesaid are hereby directed from time to time to publish their regulations & orders respecting the same in three of the Public News Papers in the said Town six weeks successively; *provided nevertheless,* that nothing in this Act shall be construed to extend, or operate as a prohibition to the transporting of Place of landing.  
  
Method of recovery.  
  
— Firewards to publish regulations.  
  
Proviso.

Powder from & out of the Magazine in the town of Boston into any part of this Commonwealth, or from the Powder Mills in the Country to the Magazine aforesaid in such Carts or Carriages as hath been customary & heretofore used.

*Approved June 26, 1792.*

### 1792. — Chapter 8.

[May Session, ch. 7.]

AN ACT FOR SETTING OF ELISHA RICHARDSON & MOSES FISHER FROM THE WEST PRECINCT IN MEDWAY, TO THE TOWN OF FRANKLIN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that Elisha Richardson & Moses Fisher, with their families and that part of their estates, that is now lying in said west precinct in Medway be & hereby are set off from the west precinct in Medway, and annexed to the town of Franklin, there to do ministerial and precinct duty and to receive ministerial privileges.

Persons set off.

Proviso.

*Provided nevertheless* that said Elisha Richardson & Moses Fisher shall pay to the west precinct in Medway all the taxes now lawfully assessed on them in the same manner they would have been holden to pay the same, had not this Act passed.

*Approved June 27, 1792.*

### 1792. — Chapter 9.

[May Session, ch. 13.]

AN ACT DETERMINING AT WHAT TIME AND PLACE THE COURTS OF GENERAL SESSIONS OF THE PEACE AND COURTS OF COMMON PLEAS SHALL BE HOLDEN WITHIN THE COUNTY OF WASHINGTON.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that from and after the first Tuesday of October next, the time & place for holding the Courts of General Sessions of the Peace, and Courts of Common pleas within and for the County of Washington, shall be at Machias, in the said County, on the first Tuesday of October annually, and at no other time, any law of this Commonwealth to the contrary notwithstanding.

Time & place of holding Courts.

*Approved June 27, 1792.*

1792. — Chapter 10.

[May Session, ch. 8.]

AN ACT SECURING THE FREE PASSAGE OF THE FISH CALLED ALEWIVES IN THE RIVERS IN THE TOWN OF DARTMOUTH IN THE COUNTY OF BRISTOL, AND FOR THE PRESERVATION OF THE SAME.

*Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* that the owner or owners of each and every Mill Dam on the River Pasequamanset, so called, & other Rivers situate in the town aforesaid, shall make, provide and continue a sluice way of three feet wide, & eight inches deep for the said fish to pass their respective Dams, as far as the Selectmen of the said town shall judge convenient and proper for the said fish to pass in; And the Selectmen of the said town of Dartmouth are hereby authorized and empowered on the second Monday of April annually, to open the said sluice ways, which when opened by them, shall remain open untill the tenth day of May annually, & the owner or owners, proprietor or proprietors of any Dam or Dams on the said respective rivers, who shall neglect or refuse to make, provide and continue a sluice way as aforesaid, or that after such Sluice way is opened as aforesaid, shall shut or obstruct, or cause the same to be shut or obstructed, during the term the said sluice way is to be kept open as aforesaid, shall forfeit and pay the sum of Forty pounds for each offence.

Owners of dams to provide sluice way.

Selectmen empowered.

*And be it further enacted,* that the said town of Dartmouth, at their annual meeting for the choice of town Officers in the month of March or April annually, are hereby authorized & impowered to chuse a Committee, consisting of not more than twelve, nor less than two suitable persons for Inspectors of the said river, whose duty it shall be, within four days after their appointment, to put up in four public places nearest the said River, a notification or Notifications under their hands, or under the hands of the major part of them, pointing out the time when, and designating the places where the said fish may be taken in the said River, & if any person or persons shall pull down, marr or deface such notification or notifications, he or she shall for each offence forfeit & pay ten shillings; & if such Committee shall neglect or refuse to

Inspectors appointed.

— Their duty.

Forfeiture.



put up such notification or notifications, within the said term of four days, such Committee shall forfeit and pay ten shillings. And any person who shall presume to take any of the said fish in the said Rivers except at the times and places pointed out, and designated by the said Committee as aforesaid, shall forfeit and pay three pounds for each offence.

Obstruction to the passage forbidden.

*And be it further enacted*, that if any person or persons shall make any Wear or Wears or any other obstruction to hinder the passage of the said fish up the said Rivers, each person so offending shall forfeit and pay the sum of five pounds, & any person who shall take or catch any of the said fish, in the said Rivers with any other instrument than a Dip net, shall forfeit & pay four pounds for each offence.

Catching Fish forbidden in a certain time.

*And be it further enacted* that if any person or persons shall set or draw any seine, drag net, or Marsh net in the said Rivers, from and after the tenth day of April to the twentieth day of May annually, each person so offending shall forfeit and pay ten pounds.

Taking any fish at any time forbidden, excepting.

*And be it further enacted*, that if any person or persons shall set or draw any Seine, drag net, or Marsh net in the said Rivers, or ponds belonging to the said town of Dartmouth, for the taking any fish (Manhaden excepted) at any time whatsoever, he or they so offending shall forfeit and pay the sum of Twenty pounds.

Forfeitures how recoverable.

*And be it further enacted*, that all the forfeitures incurred by this Act, shall accrue to the said town of Dartmouth, to be recovered by the Treasurer of the said town, in an action of debt in any Court proper to try the same; & no person shall be considered as disqualified from giving evidence in any such action, on account of his living in, or being an inhabitant of the said town of Dartmouth.

*Approved June 27, 1792.*

## 1792. — Chapter 11.

[May Session, ch. 9.]

AN ACT INCORPORATING JOSEPH STORER AND OTHERS FOR THE PURPOSE OF MAKING A BETTER HARBOUR IN MOUSOM RIVER IN WELLS.

Preamble.

*Whereas it appears to this Court from the representation of Joseph Storer & others, that Mousom River in Wells, in the County of York is not at present navigable by Ves-*

*sels of more than ten tons, that the landing place at the head of the tide on that river, is conveniently situated with respect to the back Country, and that considerable advantages would result from making that river navigable for vessels of greater burthen; And whereas the said Joseph and others have petitioned this Court, to be incorporated for the purpose of making a convenient harbour in said river.*

*Be it therefore enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same, that Messieurs Joseph Storer, Clement Storer, Benjamin Brown esqr. Major William Jefferds, John Low esqr. Messrs James Kimball, Richard Gillpatrick, Joseph Barnard, John Low junr. Nathaniel Conant, Henry Hart, John Butland, Nathaniel Spinney, Jesse Larrabee and Michael Wise with their Associates and Successors, with all others who may hereafter become proprietors in the funds which may be raised for the purpose aforesaid so long as they shall continue proprietors in such funds shall be a Corporation & Body Politic, under the name of the proprietors of Mousom harbour in Wells, & by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and do and suffer all other acts and things which bodies Politic may, or ought to do and suffer, and that said Corporation shall and may have full power and authority to make, have and use a common Seal, & the same to break, alter and renew at pleasure.*

Persons incorporated.

Power & subjection.

*& Be it further enacted by the authority aforesaid, that the said proprietors, or any three of them, by advertizement in the papers printed at Portland, may warn or call a meeting of said proprietors to be held at Wells aforesaid, at any suitable time after fourteen days from the publication of said advertisement, to agree on such method as may be thought proper for calling meetings of said proprietors, for the future, & to do, and transact such matters and things relating to said propriety, as shall be expressed in said advertisement; & the said proprietor's are hereby impowered, at any legal meeting duly warned for the purpose, to chuse a Clerk, Treasurer, and such other officer or officers, as may be necessary for managing the business of said Corporation, and every proprietor shall have a right to vote in the proprietary meeting, according to his share & interest in the funds aforesaid.*

Proprietors authorized to call a meeting.

To choose officers.

Preamble.

*Whereas in the prosecution of the business aforesaid, it may be necessary to stop the present course of said River, by building a Dam across the same, and digging a Canal from said river to the sea; —*

Impowered to build a dam and open canal.

*Be it enacted* that the said Proprietors be, and they are hereby authorized and impowered to build a Dam across said River, at any place between the mouth thereof, and the head of the tide therein, and to turn the present course of said river, so as that the same may run to the sea at any place between the present mouth of said river, and the north easterly part of a certain Cove in said Wells, called Burk's Cove, & to dig, and open any Canal, which may be necessary for that purpose: And if any person shall be damaged in his private property, by building said Dam, digging said Canal, or altering the present course of said River, or in any other way by the said proprietors, they shall be held & obliged, to make full satisfaction therefor to the party or parties who may be injured; & the damage shall be estimated according to the rules prescribed by law to be observed in estimating damages done by laying out high ways.

To make compensation for private injury.

Process, in case of neglect.

*And be it further enacted by the authority aforesaid,* that if the proprietors aforesaid, shall not within twenty days after being requested thereto, make or tender reasonable satisfaction to the acceptance of the person damaged by them as aforesaid, the person so damaged may apply to the Court of General Sessions of the peace for the County of York, for the appointment of a Committee at his own expence, to estimate the damage so done; and the said Court are hereby authorized & empowered, by Warrant under the Seal thereof, upon such application, if made within one year from the time of the damage done as aforesaid, to appoint a Committee of five disinterested freeholders in the same County, to estimate such damages, which Committee shall give seasonable notice to the persons making such application, and to the Clerk of the proprietors aforesaid of the time and place of the meeting of said Committee, who shall be under oath to perform the said service according to their best skill and judgment, which having done they, or the major part of them, shall make return thereof under their hands and Seals to the next Court of General Sessions of the peace, to be holden in said County after the same service is performed, to the end the same may be accepted, allowed and recorded, and

the Committee so appointed, are empowered and required to estimate the said damage, & make return thereof as aforesaid; & the estimate of the Committee being accepted by the Court, and judgment entered thereon, execution shall issue accordingly: *Provided* that in making up such judgment, the applicant for such Committee shall not be allowed any cost if it shall appear that before his application, a sum equal to, or exceeding the damage estimated by such Committee was actually tendered him; otherwise, such applicant shall be allowed his full costs; & the proprietors of the said Corporation in their individual capacities are hereby made liable to be taken in execution on such judgment, & imprisoned in the same manner, as the inhabitants of any town within this Commonwealth are by law liable to be taken and imprisoned on execution issued upon a Judgment obtained against the town to which they belong, and the execution to be issued by the said Court shall be in the same form, *mutatis mutandis*, & returnable within the same time, as if Judgment had been rendered against said Corporation for a like sum in damage, on process in a Court of Common pleas.

Proprietors liable, as in other cases.

*And be it further enacted by the authority aforesaid*, that if any person finds himself aggrieved by the doings of said Committee in estimating his damages, he may apply to the said Court of General Sessions of the peace, at the next session thereof after the acceptance of such return; & the said Court are hereby impowered to hear, & finally determine the same, by a Jury under oath, summoned by the Sheriff or his Deputy for that purpose, if the person complaining desires the same, or by a new Committee, if the person complaining, and the proprietors, agree thereon; & if the Jury or Committee agreed upon as aforesaid, who are to be under oath, shall not increase the sum of damages, the person complaining shall be held to pay all costs incurred on that occasion, to be taxed against him at the said Court of General Sessions, otherwise the cost & increase of damages shall be paid by the proprietors, & execution shall issue therefor, & be levied in manner before expressed.

Persons aggrieved, may apply to the Court of Sessions.

*And be it further enacted by the authority aforesaid*, that the proprietors aforesaid be and they hereby are authorized & empowered to purchase & hold to them & their Successors forever, so much land and real estate as

Proprietors empowered to purchase real estate.



may become necessary for carrying into effect the purposes aforesaid.

*And be it further enacted by the authority aforesaid,* that for the purpose of reimbursing the said Proprietors the money which they may expend in building said Dam, digging said Canal, and altering the course of said river, a toll be, & hereby is granted for the sole benefit of the said proprietors to be paid for all lumber which shall be transported in rafts, boats or other vessels through the said Canal by the transporters of such lumber according to the rates following — *Viz.* for every thousand feet of boards, joist, plank or timber, to be reckoned in board measure, eight pence, for every thousand of pipe staves, one shilling, for every thousand of hogshead staves eight pence, for every thousand of barrell staves six pence, for every thousand of hoops, one shilling for every thousand of Clapboards, one shilling, for every thousand of shingles or laths two pence, for every shook hogshead, one penny, for every thousand feet of oar rafters, five shillings, for every Cord of Wood eight pence, which toll the said Proprietors may demand and receive for the space of fifty years from the time of passing this Act and no longer.

Collector of toll appointed.

*And be it further enacted by the authority aforesaid,* that the said Proprietors shall from time to time appoint some suitable person Collector of toll, who shall constantly attend at some convenient place for the purpose of receiving said toll which may be demanded at the time of passing through said Canal, & if the transporter of any article through said Canal, on which a toll is allowed by this act, shall neglect or refuse to pay such toll, the same may be recovered by action of debt, or the case, for the use of said proprietors by any one of them, or any person by them appointed Collector of said toll before any justice of the Peace for said County, if the amount of the toll due shall not exceed the sum of four pounds, and if the same shall exceed that sum, then before the Court of Common Pleas for the same County, saving a right of appeal as in other cases.

Act void, in case.

*And be it further enacted by the authority aforesaid,* that if the said Proprietors, shall neglect for the space of three years from the time of passing this Act, to compleat such Dam and Canal in manner aforesaid, then this Act shall be void and of no effect. *Approved June 27, 1792.*



## 1792. — Chapter 12.

[May Session, ch. 12.]

AN ACT TO SET OFF BENJAMIN FREEMAN & OTHERS FROM THE TOWN OF CHARLTON IN THE COUNTY OF WORCESTER, AND TO ANNEX THEM TO THE TOWN OF STURBRIDGE.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that Benjamin Freeman, Daniel Marcy, and Elijah Sebree with all their lands lying on the south side of the road leading from Sturbridge Meeting House to Sarah Cheney's in Dudley, including so much of the road aforesaid as now lies in Charlton, with the dwelling houses and other buildings thereon be, and they hereby are set off from the town of Charlton, and annexed to the town of Sturbridge, and shall forever hereafter be considered as making part of the same. Persons set off.

*Provided nevertheless,* that the several persons above named, and their estates, shall be still holden to pay all legal taxes assessed upon them before the passing of this Act, & also their proportionable part in building & repairing the Bridge over Quinabogue River by Marce's mills in like manner as tho' this Act had not been made. Proviso.

*Approved June 27, 1792.*

## 1792. — Chapter 13.

[May Session, ch. 16.]

AN ACT INCORPORATING DUDLEY ATKINS TYNG ESQR AND OTHERS, FOR THE PURPOSE OF RENDERING MERRIMACK RIVER PASSABLE WITH BOATS, RAFTS, & MASTS, FROM THE DIVISIONAL LINE OF NEW HAMPSHIRE & MASSACHUSETTS, TO THE TIDE WATERS OF THE SAID RIVER, BY THE NAME OF THE PROPRIETORS OF THE LOCKS & CANALS ON MERRIMACK RIVER.

*Whereas removing the obstructions to the passing of Boats, Rafts & Masts upon Merrimack River, from the divisional line of New Hampshire & Massachusetts to the tide waters of the said River, will be of great public utility; and Dudley Atkins Tyng, William Coombs, Joseph Tyler, Nicholas Johnson and Joshua Carter have petitioned this Court, setting forth, that they with others of their fellow citizens have associated for that purpose & praying for an act of incorporation, empowering them to make such Canals* Preamble.

*and Locks, and perform such other operations as may be necessary to remove or lessen the said obstructions, with such priviledges and immunities as to this Court should seem meet :*

Persons incor-  
porated.

— Their power  
and subjec-  
tion.

Authorized to  
call meetings.

Proprietors to  
elect Officers,  
make bylaws,  
&c.

Proviso.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same, That the said Dudley Atkins Tyng, William Coombs, Joseph Tyler, Nicholas Johnson, & Joshua Carter, with such other persons as have with them associated as aforesaid, and all those who may hereafter become proprietors of the said proposed Locks & Canals and of the funds or real estate to be raised or purchased, for carrying into effect the said designed undertaking, be & they hereby are made and constituted a Body Politick & Corporate forever by the name of the Proprietors of the Locks & Canals on Merrimack River, & by that name may sue & be sued to final judgment and execution, & may do & suffer all matters, acts & things which bodies politic may or ought to do or suffer, & may have & use a common seal, & the same may break & alter at pleasure.*

*And be it further enacted by the authority aforesaid, that the persons aforenamed or any three of them, may by advertizement in the Independent Chronicle, and in the Essex Journal, warn or call a meeting of the said proprietors, to be holden at any suitable time & place after thirty days from the first publication of the said advertizement ; And the said proprietors by a vote of the majority of those present or represented at the said meeting, accounting & allowing one vote to each single share, in all cases, ( *Provided however* that no one proprietor shall have more than twenty votes ) shall choose a Clerk who shall be sworn to the faithful discharge of his duty, & shall or may also agree upon a method for calling future meetings, & at the same, or any subsequent meetings, may elect such Officers, & make & establish such rules and byelaws as to them shall appear necessary or convenient for the regulation and government of the said Corporation, & for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established, & the same rules and bye laws may cause to be executed, *provided* they are not repugnant to the Constitution, or laws of this Commonwealth, & may annex penalties to the breach thereof, not exceeding three pounds ; And all representations at any meetings of the said intended Corporation, shall be proved*

by writing signed by the person to be represented, which shall be filed with the Clerk: And this Act, and all Rules, bye laws, regulations, and proceedings of the said Corporation shall be fairly and truly recorded by the said Clerk in a Book or Books to be provided & kept for that purpose.

*And be it further enacted by the authority aforesaid, that the said proprietors be, & they hereby are authorized & empowered to construct & maintain all such Canals, Locks & Dams as shall be necessary, in order to permit the passage of Boats, Rafts & Masts, in Merrimack River, from the northerly line of this Commonwealth to the tide waters of the said river, & for the purpose aforesaid, to take, occupy and enclose any of the lands adjoining any such Canals and Locks, which may be necessary for building & repairing the same, for towing paths, and other necessary purposes, (provided such lands shall not exceed twenty feet in width, on each side of such Canals & Locks)—to blow up and remove any rocks in the said river, & to dig in any of the lands near to the said river through which it may be necessary to pass such Canals: *Provided notwithstanding*, that nothing herein contained shall be construed to authorize the said proprietors to obstruct the main passage of said river, by erecting any Dam or Dams across the same.*

— Empowered to construct and maintain canals.

— to take private property.

Provisos.

*And whereas it may be necessary in the prosecution of the foregoing business, that the property of private persons be, as in the laying out of high ways, used for the public benefit, and adequate compensation ought to be made therefor, and a prompt and certain method appointed to obtain the same;*

Preamble.

*Be it enacted by the authority aforesaid, that in all cases where any person shall be damaged in his or her property by the said Proprietors, by the cutting or making Canals through his or her land, by removing Mills, or Mill-dams, diverting water courses, or flowing his land or in any other manner, in carrying into effect the said proposed undertaking, and the said Proprietors shall not, within twenty days after request made, tender reasonable satisfaction to the acceptance of the person damaged in any manner as aforesaid, the Court of General Sessions of the Peace for the County wherein the damage shall have been done, shall and may upon the application of the person so damaged, by Warrant under the Seal of such Court, appoint a Com-*

Compensation to be made for the damage of private property.

In case of neglect, to be referred by Court.

Proviso.

Execution may  
be issued.

Method of pro-  
cedure, in case  
of being ag-  
grieved in esti-  
mation of  
damages.

Committee au-  
thorized re-  
specting bridges  
over canals.

mittee of five disinterested freeholders in the same County to estimate such damage; *provided* such application be made within one year from the time of the damage done as aforesaid; which Committee shall give seasonable notice to the persons on whose application they were appointed, and to the Clerk of the said proprietors, of the time and place of their meeting, & shall be under oath to perform the said service according to their best skill & judgment; which having done, they, or the major part of them, shall make return thereof under their hands and seals, to the next Court of General Sessions of the peace, to be holden in the same County, after the service is performed, to the end the same may be accepted, allowed and recorded; & if the return of the Committee be accepted by the Court, execution shall issue against the property only of the Corporation, or of any individual belonging thereto, after twenty days from the acceptance of said report, for the sum so adjudged in damages, with all costs, to be allowed by the Court, *provided* the sum of damages estimated by the Committee, exceed the sum tendered by the corporation; otherwise no costs shall be allowed. And if any person find himself aggrieved by the doings of such Committee, in estimating such damages, the said Court, upon application made at the next session thereof, after the acceptance of such return, is hereby empowered to hear, & finally to determine the same by a Jury, to be summoned by the Sheriff, or in case the Sheriff is interested, by the Coroner, & sworn, if the person applying desires the same, or by a new Committee, if the person aggrieved and the proprietors can agree thereon; & if the Jury or Committee agreed upon as aforesaid, who are to be under oath, shall not encrease the sum of damages, the person making the application, shall pay all costs incurred on that occasion, to be taxed against him by the Court; otherwise such cost & encrease of damages, shall be paid by the proprietors, and execution shall issue for the same in manner as is before expressed: And it shall be the duty of such Committee or Jury, on application of either of the parties, & reasonable notice given to all persons interested, to determine where, and how many Bridges shall be made and maintained by said Proprietors over the Canals aforesaid for the convenience of private persons, & how the same shall be constructed, & what damages shall be paid by the proprietors for neglecting to make and maintain such



Bridges ; and the report of such Committee, or the verdict of such Jury, being returned into the same Court, and being allowed & recorded, shall be a sufficient bar against any action brought for damages as aforesaid ; saving only, that where the sum of damages is not estimated at a sum in gross, for the full satisfaction thereof, but a yearly sum is assessed, in such case the complainant & those who shall possess estate so damaged, shall be intitled to an action of debt for the recovery of the same, so often as the same becomes due, during the continuance of the damage done or suffered as aforesaid, and also for the recovery of the damages, for neglecting to make and maintain the Bridges aforesaid, so often as the same is necessary.

*And be it further enacted by the authority aforesaid,* that if there shall be occasion in the prosecution of the said undertaking to make a Canal across any public high ways, or if any high ways shall hereafter be laid out across any such Canal, it shall be the duty of the said proprietors to make and maintain in good repair a sufficient Bridge or Bridges over such Canal.

Proprietors obligated, respecting highways.

*And be it further enacted by the authority aforesaid,* that if any person or persons shall wilfully, maliciously, and contrary to law, take up, remove, break down, dig under, or otherwise damnify any Dam, Canal or Lock, made use of for enclosing water for the purpose aforesaid, or any part thereof, he shall for every such offence forfeit & pay to the said proprietors treble the value of such damages as the said proprietors shall make appear to the Justice or Court and Jury, before whom the trial shall be, that they have sustained by such trespass : And such offender or offenders shall be liable to indictment for any offence against this Act, & on conviction thereof shall be sentenced to pay a fine to the use of the Commonwealth, of not more than twenty pounds, nor less than five pounds, or to be imprisoned for a term not exceeding three months, at the discretion of the Court before whom the conviction shall be.

Forfeitures and penalties in case of damaging canals, &c. to the proprietors and the Commonwealth.

*And be it further enacted by the authority aforesaid,* that the said Proprietors be, and they hereby are authorized and empowered to purchase and hold in fee simple all such land and real estate as may be necessary for carrying into effect the purposes of this Act.

Proprietors empowered with respect to real estate.

*And be it further enacted by the authority aforesaid,* that for the purpose of re-embursing the said proprietors

Toll granted.



Rates.

the money by them expended, or to be expended in building & supporting the Dams, Canals and Locks, & in clearing the passages necessary for the purposes aforesaid, a toll be, and hereby is granted and established for the sole benefit of the said proprietors, not exceeding the rates following; *Viz*, For passing the Locks and Canals at Wickasie, and Patuckett falls, to be received at Patuckett, for every thousand feet of pine boards two shillings, for every thousand feet of two and an half inch pine plank six shillings, & other pine plank in proportion thereto, — for every thousand feet of two and an half inch oak plank ten shillings, and other oak plank in proportion thereto — for every cord of pine wood eight pence, — for every cord of other wood one shilling; for every thousand of barrell staves, two shillings — for every thousand of hogshead staves, three shillings and six pence, — for every thousand of Pipe staves, five shillings, — for every ton of oak timber, one shilling & six pence, — for every ton of Pine timber ten pence, — for every Boat or other vessell at the rate of one shilling for every ton burthen it is capable of conveying, whether loaded or not, — for every Mast at the rate of one shilling for every inch of the diameter thereof, at one third of the length from the largest end, — and for all articles not enumerated, in proportion to the rates aforesaid, — for passing the Locks, Canals & passage ways at Hunt's, Varnum's, Parker's & Peters's Falls, to be paid at Peters's falls, one half of the foregoing rates, — for passing the locks & Canal of Peters's Falls only, one quarter of the foregoing rates; And on all articles having passed the Locks, Canals & passage ways of Patuckett Falls, one half only of the toll herein established to be paid at Peters's Falls, shall be received: And for passing the Locks, Canals, & passage ways at Bodwell's Falls and Mitchell's Falls, one third of the rates herein before established to be paid at Patucket Falls, subject to a deduction of one third thereof on all articles having paid toll at Peters's Falls only, & of two thirds thereof on all articles having paid toll at Patucket Falls.

Persons appointed to attend the Locks.

Time when the Toll shall commence.

*And be it further enacted by the authority aforesaid,* that suitable persons shall attend the Locks in the day time during the whole of the season in which Boats or Rafts can pass; & on the toll being paid, shall immediately permit passengers with their property to pass the Locks: And the said toll shall commence on the day of the opening said Locks and Canals respectively for the pur-

poses aforesaid, & shall continue forever: *Provided* that after the expiration of thirty years from the opening thereof the General Court may from thence forward regulate the rate of toll, and the same shall be collected in such manner, as shall be prescribed by the said Corporation.

*And be it further enacted by the authority aforesaid,* that the said Proprietors shall erect, make & forever maintain such Dams, Canals & Locks, & shall so clear the passages of the river aforesaid, from the northerly line of this Commonwealth, to the tide waters of the said river, as that Rafts, Masts, & Floats of Timber, not exceeding twenty five feet in width, and one hundred feet in length may pass securely down; & that Boats not drawing more than three feet of water may pass securely up and down, at all seasons of the year, when the other parts of the said River are passable for the same; & that they shall keep and expose to view, when required, the rates of toll of the tollable articles fairly and legibly written or printed, at the several places where the toll shall be received.

*And be it further enacted by the authority aforesaid,* that the share or shares of any of the said proprietors in the said Locks and Canals, & in all the real and personal estate of which the said Corporation may at any time hereafter be legally seized or possessed by virtue of this Act, may be transferred by Deed acknowledged, and recorded by the Clerk of the said proprietors in a Book to be kept for that purpose; and when any share or shares of any of the said proprietors shall be attached on mesne process, an attested copy of such process shall be left with the Clerk of the said proprietors at the time of such attachment made, otherwise the same shall be void.

*And be it further enacted by the authority aforesaid,* that if the said proprietors shall neglect for the space of four years from the passing of this Act, to make & compleat such Dams, Canals & Locks, and to clear the passages of the said River at Wickasick & Patuckett Falls, so that the same shall be passable in manner as aforesaid, then this Act, so far as the same relates to the said Falls, or either of them, or to the receiving of toll for the passage thereof shall be void and of no effect: And if the said proprietors shall neglect for the space of six years from the passing of this Act, to make and compleat such Canals, Dams, & Locks, and to clear the passages of the said River at all the other falls of the said River herein before mentioned, so that the same shall be passable in man-

Proviso.

Proprietors  
obligated re-  
specting locks  
and canals.

Rates of toll,  
&c. to be affixed  
to view.

Shares allowed  
to be trans-  
ferred.

In case of neg-  
lect, this act to  
be void rela-  
tively.

ner as aforesaid, then this act, so far as the same relates to said other Falls, & each of them, or to the receiving of toll for the passage thereof, shall be void & of no effect.

*Approved June 27, 1792.*

### 1792. — Chapter 14.

[May Session, ch. 14.]

AN ACT REGULATING IN CERTAIN PARTICULARS THE IMPROVEMENT OF PLUMB-ISLAND IN THE COUNTY OF ESSEX, AND REPEALING AN ACT FOR THE EFFECTUAL PREVENTING OF HORSES, NEAT CATTLE, SHEEP AND SWINE FROM RUNNING AT LARGE OR FEEDING UPON A CERTAIN ISLAND CALLED PLUMB ISLAND LYING IN IPSWICH BAY IN THE COUNTY OF ESSEX PASSED IN THE YEAR ONE THOUSAND SEVEN HUNDRED & THIRTY NINE.

Preamble.

*Whereas the Island called Plumb Island, in Ipswich Bay in the County of Essex, consisting partly of upland or beach valuable for pasturing, and partly of salt marsh, cannot be sufficiently fenced or divided, so that the respective proprietors might securely enjoy their different improvements.*

Proprietors to improve the Island, conditionally.

*Be it enacted by the Senate & House of Representatives in General Court assembled & by the authority of the same, that from [and] after the passing of this act, no proprietor or owner of or in the upland, beach or other pasturing of the said Island, shall be allowed to improve the same for the pasturing of neat cattle or horses, unless they shall be secured by a sufficient and lawful fence or inclosure, or by a keeper, and at least one keeper shall be required and employed for every twenty five head of neat cattle or horses there put to feed, & shall be continued during their stay, and no sheep or swine shall be allowed to feed or run upon the said Island unless belonging to any owner or tenant resident thereon, and being kept within a sufficient inclosure, & if any neat cattle or horse shall be found at large, or not under a keeper on said Island, or any sheep or swine contrary to the intent of this Act, the owner or owners thereof, shall forfeit and pay a fine of forty shillings for every head of neat cattle or horse, and a fine of five shillings for every sheep or swine, which shall be there found as aforesaid, to be recovered by any person or persons by impounding and by selling the same if payment shall not be made, as in other cases of cattle found damage feasant; such fine or fines,*

Forfeiture.

when recovered to be three quarters for the use of the poor of the town where the owner of such cattle, horse, sheep or swine shall reside, and the other quarter for the use of the person or persons prosecuting therefor.

*And be it further enacted*, that if any neat cattle or horses put to feed on said Island, shall stray from the upland, beach or other pasturing there, and shall be found upon the salt marsh, the keeper or keepers having charge thereof, or if not under the care of a keeper, the owner or owners thereof, shall forfeit and pay a fine of five shillings for each and every head of neat cattle or horse which shall be so there found, to be in like manner recovered by impounding the same, which the owner or lawful occupant of any tract of marsh or parcel of said Island is authorized to execute & pursue: — And when cattle or horses under the care of a keeper shall be so found and impounded, the owner or owners thereof, who shall thereupon be liable and shall pay any fine or fines therefor as aforesaid, shall & may recover the amount thereof with all costs and damages from the keeper or keepers who had charge of such cattle or horse by action of the case to be brought before any Court proper to try the same: —

Penalties for  
strayed cattle  
put to feed.

*Provided nevertheless*, — *And be it further enacted*, that no proprietor or tenant actually resident on said Island, whose cattle horses, sheep or swine shall be found at large on said Island, shall be thereby liable to the penalties established by this Act, but only as in other cases of cattle damage feasant.

Proviso.

*And be it further enacted* that if the cattle, horses, sheep or swine of any person or persons having no right or lawful authority to feed the said upland or beach, shall be found on said Island straying or feeding there, he or they shall besides the fines and forfeitures before established, be liable & answerable as in other cases of cattle found damage feasant, the want of fences notwithstanding, and the owner of the land trespassed upon or any agent or agents who shall be appointed by the proprietors to prevent trespasses, may sue, or otherwise prosecute for such damages, for their own use, or the use of the proprietors as the case may be.

Penalty for cat-  
tle belonging to  
persons, who  
have no right.

*And be it further enacted*, that any person or persons whether a proprietor in said Island or otherwise, who shall cut down or destroy any of the shrubs or small trees

— for damaging  
Trees.



of a less diameter than six inches or shall set fire to the grass there growing, shall be liable to a fine not exceeding six pounds nor less than forty shillings, to be recovered by complaint, indictment or information, to the use of the person or persons who shall prosecute therefor.

Act repealed.

*And be it further enacted*, that the Act entitled “an Act for the effectual preventing of horses, neat cattle, sheep and swine from running at large or feeding on a certain Island called Plumb Island lying in Ipswich bay in the County of Essex, passed in the year of our Lord one thousand seven hundred and thirty nine shall be & the same is hereby repealed. *Approved June 27, 1792.*

### 1792. — Chapter 15.

[May Session, ch. 15.]

AN ACT TO INCORPORATE THE PLANTATION OF BUCKSTOWN IN THE COUNTY OF HANCOCK INTO A TOWN BY THE NAME OF BUCKSTOWN.

Boundaries.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that the following described tract of land, viz — Beginning at a pine tree marked IBEBEM, standing on the shore of the thoroughfare, so called, it being the southwesterly corner of township number two, thence running north sixty two & a half degrees east, one mile and one hundred & six rods to Penobscot eastern river, thence northerly by said river about one mile & a half to an oak tree standing by said river marked as above, thence north fifty two degrees east five miles & one hundred & twenty five rods to a birch tree marked, thence north twenty degrees and [a] half west five miles and forty rods to a spruce tree marked, thence south seventy degrees west five miles and one hundred and eighty four rods to an oak tree marked standing on the bank of Penobscot main river being the southwesterly corner of Orlington, thence southerly by said river to the first mentioned bounds, together with the inhabitants thereon, be and they hereby are incorporated into a town by the name of Buckstown, and the said town is hereby invested with all the powers, privileges & immunities, which other towns in this Commonwealth do or may enjoy by law.

Buckstown, incorporated.

Jonathan Buck, jun. to issue a warrant.

*And be it further enacted by the authority aforesaid*, that Jonathan Buck junior Esquire be & he is hereby em-



powered to issue his warrant, directed to some suitable inhabitant of the said town of Buckstown requiring him to warn the inhabitants thereof to meet at some convenient time and place, to choose all such Officers as towns are by law required to choose in the month of March or April annually. *Approved June 27, 1792.*

### 1792. — Chapter 16.

[May Session, ch. 11.]

AN ACT TO CONTINUE AN ACT, INTITLED “AN ACT, FOR RENDERING PROCESSES IN LAW LESS EXPENSIVE.”

*Be it enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same,* that the Act intituled “An Act for rendering processes in law less expensive,” be, & hereby is continued & shall be in force, untill the last day of June which will be in the year of our Lord one thousand seven hundred & ninety three. *Approved June 27, 1792.*

Act continued.

### 1792. — Chapter 17.

[May Session, ch. 19.]

AN ACT AUTHORIZING CORONERS TO EXECUTE WRITS AND PRECEPTS WHEN THE OFFICE OF SHERIFF MAY BE VACANT.

*Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that at all times hereafter, when the office of Sheriff in any County may be vacant by death, resignation, removal or otherwise, the several Coroners of such County be, and they hereby are respectively authorized and empowered to execute and return all writs & precepts, which are by law appointed to be executed & returned by the Sheriff, untill another Sheriff for such County shall be appointed, & legally qualified, & such Coroners shall have notice thereof: And it shall be the duty of every person who may hereafter be appointed Sheriff of any County, & legally qualified to execute said Office, to give notice thereof as soon as may be to the respective Coroners of the same County. And the Secretary of this Commonwealth is hereby directed to cause this Act to be published in some public News Paper in each County in this Commonwealth, where any such News Paper is printed. *Approved June 28, 1792.*

Coroners authorized.

Sheriffs to notify Coroners of their appointment.

## 1792. — Chapter 18.

[May Session, ch. 17.]

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE INDEPENDENT CHRISTIAN CHURCH IN GLOUCESTER.

Preamble.

*Whereas sundry persons inhabitants of the town of Gloucester have for several years past associated for the purpose of public worship, and have at their own expence supported a public Teacher in preaching the Gospel upon principles most agreeable to the dictates of their own consciences, — and have petitioned this Court to be incorporated that they may be better enabled to conduct their parochial affairs with ease and regularity: —*

Persons incorporated.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that David Pearce, Winthrop Sargent, Joseph Foster, Epes Sargent, John Somes, David Plumer, Barnett Haskin, John Low, third, William Pearce, Isaac Elwell, James Sawyer, Abraham Sawyer junior, William Gee, Abraham Sanger, Francis Low, Joseph Herrick, Lemuel Gates, William Card, Francis Norwood, Benjamin Hale, Daniel Marchant junior, Aaron Sargent, Samuel Wonson junior, Caleb Poole, John Stevens Ellery, Benjamin Tarbox, Henry Phelps, Moses Fitz, Thomas Foster, Benjamin Lufkin, Benjamin K. Hough, William Murphy, Jonathan Low, Joseph Proctor, Solomon Babson, Daniel E. Proctor, Aaron Hall, Joseph Allen junior, Winthrop Allen, John Allen, David Sargent, William Baty, Caleb Norwood, Joseph Baker, John Gott, Ebenezer Gott, Samuel Wonson, Benjamin Marshall, Ebenezer Pool, John Norwood, Nathan Pool, together with all those who are and those who shall become members of the same Church or being of the same religious denomination shall unite with them in the same place of worship, within said town of Gloucester, together with their several estates, lying within said town be and hereby are set a part & incorporated into a Society by the name of The Independent Christian Church in Gloucester, and by that name may sue and be sued, plead and be impleaded, defend and be defended in any Court or place whatever.

Society empowered to regulate themselves.

*And be it further enacted by the authority aforesaid,* that the members of said incorporation at any meeting of the Society shall have a right by a majority of votes to ordain and establish all such rules & regulations and to

appoint such officers for the government of said society as shall not be repugnant to the laws and Constitution of the Commonwealth, and at such meetings to vote such taxes and make such assessments thereof as shall be necessary for the support of said Church and the public Teacher thereof.

*And be it further enacted by the authority aforesaid,* that all male persons who usually assemble with the aforesaid Church & Congregation for public worship, being of the same religious denomination & qualified by law to vote in town affairs shall have a right to vote in all meetings of the said Society.

Qualifications of members to vote.

*And be it further enacted by the authority aforesaid,* that any five of the petitioners or other persons usually assembling with said Church and Congregation, may call a first meeting of said Society at such time and in such place, within said town of Gloucester as they shall see fit, at which meeting the method of calling their future meetings shall be determined conformably to the laws of the Commonwealth.

Number authorized to call a meeting.

*And be it further enacted by the authority aforesaid,* that the petitioners and all others their associates in said Church and Congregation and their several estates lying in said town of Gloucester, shall not be liable to any tax or assessment for the support of any other public Teacher of piety religion or morality of whatever religious sect or denomination, but are hereby declared to be exempt therefrom.

Exempted from all taxes, for the support of religion but their own.

*And be it further enacted,* that all those who hereafter shall be desirous of becoming Members of said Church or Society being inhabitants of said town, shall leave their names with the town Clerk of said town twenty days at least previous to the annual meeting of the inhabitants of said town in the month of March or April, otherwise, they shall not be considered in law as Members of said Church or Society.

Candidates for the Society, to leave their names with the Town Clerk.

*Approved June 28, 1792.*

## 1792. — Chapter 19.

[May Session, ch. 21.]

AN ACT TO INCORPORATE THE PLANTATION OF WASHINGTON IN THE COUNTY OF LINCOLN INTO A TOWN BY THE NAME OF MOUNT VERNON.

*Be it enacted by the Senate & House of Representatives in General Court Assembled and by the authority*

Boundaries.

*of the same*, that the following described tract of land, *vizt.* — Beginning at the northwesterly corner of lot number one hundred and sixty eight in said plantation, thence running east southeast three miles & two hundred and forty rods to Long Pond, so called, thence southerly down said pond and stream four miles and two hundred and twenty rods to the north line of lot number forty nine, thence east southeast one mile and thirty rods to the northeast corner of lot number fifty two, thence south southwest two miles & eighty rods to the north line of Readfield, thence west northwest six miles and two hundred and thirty rods to Sterling line, thence north twenty nine degrees west, six miles & one hundred and seventy rods to the first mentioned bounds, together with the inhabitants thereon, be and they hereby are incorporated into a town by the name of Mount Vernon, and the said town is hereby invested with all the powers, privileges and immunities, which other towns in this Commonwealth do or may enjoy by law.

Robert Page,  
Esq. to issue a  
warrant.

*And be it further enacted by the authority aforesaid* that Robert Page Esquire be & he is hereby impowered to issue his warrant, directed to some suitable inhabitant of the said town of Mount Vernon requiring him to warn the inhabitants thereof to meet at some convenient time and place, to choose all such Officers as towns are by law required to choose in the month of March or April annually.

*Approved June 28, 1792.*

## 1792. — Chapter 20.

[May Session, ch. 18.]

AN ACT TO REPEAL AN ACT, INTITLED “AN ACT FOR INCORPORATING A NUMBER OF THE INHABITANTS OF THE FIRST PARISH IN MENDON IN THE COUNTY OF WORCESTER, INTO A SOCIETY BY THE NAME OF THE FIRST CONGREGATIONAL SOCIETY IN MENDON” PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND EIGHTY FOUR.

Preamble.

*Whereas the Act, intitled, “An Act for incorporating a number of inhabitants of the first Parish in Mendon in the County of Worcester into a Society by the name of the First Congregational Society in Mendon” does not produce those salutary effects which were expected:*

Act repealed.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that the said act be, and the same is hereby repealed, and made null and void :

*Provided nevertheless, and be it further Enacted by the authority aforesaid,* that the said Society shall be holden to pay all debts by them heretofore contracted, in the same way and manner as tho' the said Act had not been repealed ; & that each and every subscriber to the said fund of said Society, shall be holden to pay the interest due on their several obligations to the first day of June, One thousand seven hundred and Ninety two. Proviso.

*And be it further enacted by the authority aforesaid,* that Samuel Fairbanks, Joseph Adams, & Stephen Johnson, the present Trustees of said Society, or any two of them, be, and they are hereby authorized and empowered, by themselves their agent or attorney to collect for the use of the members of said Society, all debts due from any person or persons not members of said Society, & the Trustees, are hereby directed to return to the members of said Society, the Bonds, Notes, or other property they have, or may receive into their hands, belonging to said Society ; & the said Society shall be holden to account with the first Parish in Mendon or any individual thereof for any monies or property which said Society have received, & which did belong to them before the passing the incorporating Act : Trustees empowered.

*Provided nevertheless* the said Trustees shall not be holden to account with the individuals of said society for any more than their equal proportion of their subscription after the debts due from said Society are paid and satisfied. Proviso.

*Approved June 28, 1792.*

## 1792. — Chapter 21.

[May Session, ch. 22.]

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CHARLES-RIVER FROM THE WEST-ERLY PART OF BOSTON TO CAMBRIDGE, AND FOR EXTENDING THE INTEREST OF THE PROPRIETORS OF CHARLES RIVER BRIDGE FOR A TERM OF YEARS," AND FOR REPEALING A CERTAIN CLAUSE IN SAID ACT.

*Be it enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same,* that the proprietors of West Boston Bridge shall continue to be a Corporation and body politic for & during the term of seventy years to be computed from the day that the said West Boston Bridge shall be completed & opened for passengers subject to all the condi- Term of time for the continuance of the Proprietors in a corporation.



tions and regulations in said Act prescribed, except the annual payment of three hundred pounds to the use of Harvard College or University; and during the term aforesaid the proprietors of said West Boston Bridge may continue to collect and receive the toll granted by the aforesaid Act for their use and benefit.

Clause of a former act repealed.

*And be it further enacted*, that the condition and clause in the aforesaid Act whereby said Corporation is bound and obliged to pay annually to Harvard College or University the sum of three hundred pounds during the term of forty years be, and the same hereby is repealed and made null and void.

Corporation to pay £200 per annum to Harvard College.

*And be it further enacted*, that after the toll specified and appointed by the aforesaid Act shall commence, the said Corporation shall pay annually to the Treasurer of Harvard College or University the sum of two hundred pounds during the said term of seventy years, to be by said College appropriated for the purpose of defraying the expence of tuition to such indigent scholars as in the judgment of the Corporation of said University shall stand in need of the same; the residue if any there be to be applied for the purpose of reducing the expence of tuition to all the other scholars; — and if the sum before mentioned, shall be applied to any other purposes than are herein directed, then and in that case, it shall revert to and be paid into the Treasury of the Commonwealth.

*Approved June 30, 1792.*

## 1792. — Chapter 22.

[May Session, ch. 20.]

AN ACT FOR ESTABLISHING AN ACADEMY, IN THE TOWN OF TAUNTON IN THE COUNTY OF BRISTOL BY THE NAME OF THE BRISTOL ACADEMY.

Preamble.

*Whereas it appears by the petition of the Honorable David Cobb Esquire for himself and others his associates that they have subscribed a sum of money for the purpose of erecting and supporting an Academy in the town of Taunton in the County of Bristol, to effect which generous design more fully, it is necessary to establish & endow a Body Politic. —*

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that there be and hereby is established in the*

Academy established.

town of Taunton in the County of Bristol an Academy by the name of the Bristol Academy, for the purpose of promoting piety, morality and patriotism and for the education of youth in such languages and such of the liberal arts and sciences as the Trustees shall direct, and that the Honorable Walter Spooner, William Baylies, David Cobb and Elisha May Esquires, James Williams, Apollos Leonard, Seth Padleford, Samuel Fales and Samuel Leonard Esquires, Messieurs Simeon Tisdale, James Tisdale, Joseph Tisdale and Jonathan Cobb be and hereby are nominated and appointed Trustees of said Academy, and they are hereby incorporated into a Body politic by the name of the Trustees of the Bristol Academy & they & their successors shall be & continue a body politic by the same name forever.

Trustees appointed.

*And be it further enacted*, that the said Academy be endowed with a township containing six miles square of the unappropriated lands in the Counties of Lincoln or Hancock to be laid out by the Committee for the sale of eastern lands and to be located in such place as will best subserve the interest of the Commonwealth, and that all the lands & monies heretofore given or subscribed, or which for the purpose aforesaid shall be hereafter given granted and assigned unto the said Trustees, shall be confirmed to the said Trustees and their successors in that trust forever, for the uses which in such instruments shall be expressed; and they the said Trustees shall be further capable of having holding and taking in fee simple, by gift, grant, devise or otherwise, any lands, tenements or other estate real or personal—*Provided* the annual income of the same shall not exceed six hundred pounds, and shall apply the rents issues and profits thereof, in such a manner as that the design of the institution of the Academy may be most effectually promoted.

Township granted & confirmed to the Trustees.

Proviso.

*Be it further enacted*, that the said Trustees shall have full power, from time to time, as they shall determine, to elect such Officers of the said Academy, as they shall judge necessary and convenient, and fix the tenures of their respective offices, to remove any Trustee from the Corporation when in their opinion he shall be incapable through age or otherwise, of discharging the duties of his office, to fill all vacancies, by electing such persons for Trustees as they shall judge best, to determine the times and places of their meetings, the manner of notifying the

Trustees empowered.

said Trustees, the method of electing or removing Trustees, to ascertain the powers and duties of their several officers, to elect Preceptors & Instructors of said Academy, to determine the duties and tenures of their offices, to ordain reasonable rules, orders and bye laws, not repugnant to the laws of this Commonwealth, with reasonable penalties for the good government of the Academy, and ascertain the qualifications of Students requisite to their admission, and the same rules, orders or bye laws at their pleasure, to repeal.

— to have a Seal.

*Be it further enacted*, that the Trustees of said Academy may have one common seal which they may change at pleasure; and that all the deeds signed and delivered by the Treasurer or Secretary of said Trustees, by their order and sealed with their seal, shall, when made in their name, be considered as their deed, and as such to be duly executed and valid in law; and that the Trustees of said Academy may sue and be sued in all actions, real personal or mixed and prosecute and defend the same to final judgment and execution by the name of the Trustees of Bristol Academy.

Number of trustees limited.

*Be it further enacted* that the number of said Trustees and their Successors shall not at any one time be more than fifteen nor less than nine, five of whom shall constitute a quorum for transacting business; and a majority of members present at a legal meeting shall decide all questions proper to come before the Trustees.

Apollos Leonard, Esq. empowered.

*Be it further enacted*, that Apollos Leonard Esquire be and hereby is authorized to fix the time and place for holding the first meeting of the said Trustees, and to notify them thereof.

*Approved June 30, 1792.*

## 1792. — Chapter 23.

[November Session, ch. 1.]

AN ACT FOR ASCERTAINING THE BOUNDARY LINE BETWEEN THE NORTH EAST PART OF THE TOWN OF FRANKLIN AND THE SOUTH EAST PART OF THE TOWN OF MEDWAY.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that the dividing line between the said Towns for the future shall be as follows; *Viz.*—Beginning at Charles River on the East side of the road, by the south side of the bridge (known by the name of Joshua Part-

Boundaries.

ridge's Bridge) thence running Southerly with the said road untill it comes to the land of Benjamin Kingsbury, thence running Easterly with said Kingsbury's land untill it comes to the Southermost point of said Partridge's land, thence running North Fifty nine degrees East six chains, thence South sixty eight degrees and thirty minutes East Thirty three chains to a large pine tree, thence Easterly on the line that divides the land formerly belonging to Nathaniel & Nathan Whiting untill it comes to Wrentham Town line, and thence the Town of Medway shall bound on said Wrentham line to Charles River, excepting that two small pieces of land now owned by Benjamin Kingsbury and Silence Lovell shall still remain as part of the said Town of Franklin. *Approved November 13, 1792.*

### 1792. — Chapter 24.

[November Session, ch. 2.]

AN ACT TO SET OFF JOHN ABBOTT AND OTHERS WITH THEIR FAMILIES AND ESTATES, WITH OTHER LANDS FROM THE TOWN OF ASHBURNHAM AND TO ANNEX THE SAME TO THE TOWN OF ASHBY.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* — That John Abbott, James Bennett, James Pollard, John Shattuck, Joseph Damon, Isaac Whitney Jeremiah Abbott, John Hall, Amos Brooks and Daniel Brown, with their families and Estates, and also all the lands contained within the following line (excepting the lands now owned by Henry Hall) to wit, beginning at the North East corner of Ashburnham at the line between the States of Massachusetts and New Hampshire and running westerly by and with said State's line five hundred and four poles to the land of James Spaulding, thence running Southerly a strait line by land of said Spaulding one hundred and forty five poles to land of Capt. John Moor, thence running south easterly a strait line, Eight hundred & seventy poles to Ashby line at a stake and stones, thence running northerly by Ashby line seven hundred & fifty three poles to the corner of Ashburnham first mentioned, be and hereby are annexed & set to the Town of Ashby and County of Middlesex with all the rights and immunities of inhabitants of said town of Ashby: *provided always* that the persons aforesaid with the lands and

Persons set off.

Boundaries.

effects aforesaid shall be holden to pay to the Town of Ashburnham all taxes heretofore assessed or granted by said town, also their full proportion of all debts now due from said town of Ashburnham.

*Approved November 16, 1792.*

### 1792. — Chapter 25.

[November Session, ch. 3.]

AN ACT IN ADDITION TO AN ACT FOR THE DUE REGULATION OF LICENCED HOUSES.

Justices author-  
ized to grant  
Licenses.

Conditions.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* that the Justices of the Courts of General Sessions of the Peace in the several Counties in this Commonwealth be & are hereby authorized & directed to grant Licence as the Law directs for keeping a Tavern or for Retailing Spirituous Liquors, to any person applying for such Licence within their respective Counties who may be an Inhabitant or Resident in any Plantation or other place not within the limits of any incorporated Town or District, on such persons taking the oath required by Law to be taken by persons previous to their receiving Licence & producing satisfactory evidence to the Court to which he shall apply, that he is firmly attached to the Constitution & Laws of this Commonwealth & well qualified & provided for the exercise of such an employment; & that such Licence will be subservient to the publick good.

*Approved November 17, 1792.*

### 1792. — Chapter 26.

[November Session, ch. 4.]

AN ACT, FOR ALTERING AN ACT OF THIS COMMONWEALTH ENTITLED "AN ACT DIRECTING THE MANNER IN WHICH MONEY SHALL BE RAISED AND LEVIED TO DEFRAY THE CHARGES WHICH MAY ARISE WITHIN THE SEVERAL COUNTIES IN THIS COMMONWEALTH."

Act altered.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that the first paragraph of the aforerecited Act be and hereby is so far altered, as that the Justices of the Courts of General Sessions of the peace, may at any Court of Sessions when it shall appear necessary, make



an estimate of the sum or sums of money requisite to defray the charges of the County any thing in the said paragraph to the contrary notwithstanding.

*Approved November 17, 1792.*

## 1792. — Chapter 27.

[November Session, ch. 6.]

AN ACT TO IMPOWER SILAS NOWELL GUARDIAN TO HIS CHILDREN TO JOIN IN THE DIVISION OF CERTAIN UNDIVIDED ESTATES TO THEM BELONGING, WITH THE OTHER OWNERS, AND ON THEIR BEHALF TO EXECUTE ANY DEEDS THAT MAY BE NECESSARY FOR THAT PURPOSE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that Silas Nowell, Father & lawful Guardian to Sarah Johnson Nowell, James Nowell, Martha Nowell, Silas Nowell junr. Ralph Cross Nowell and Phebe Nowell all of Newbury Port in the County of Essex Minors, be and he hereby is fully authorized & impowered for and in behalf of his said children to agree upon, and make partition of the real estate of their Grandfather Ralph Cross late of said Newbury port deceased, lying both in this Commonwealth, and in the State of New Hampshire with the other Devisees or owners thereof, and to accept and take the share belonging to his said children in any such parcel or parcels and in any such place or places as he shall judge most for their benefit and advantage as fully as they could do themselves if they were of lawful age, & to make & execute any proper deed or deeds, necessary for effecting & compleating such partition; and the said Silas is also fully impowered previous to such partition to settle and adjust with Stephen Cross & Ralph Cross esqrs. executors to the last will and testament of the said Ralph Cross deceased, the demands of the said children against them for their part of the personal estate of said Testator; and upon the said Stephen and Ralph giving him a receipt and discharge for so much as the same shall amount to, on account of one hundred & eighty pounds with the interest charged upon the said children's sixth part of the Testator's estate, to give & execute to them the said Stephen and Ralph a proper receipt and discharge for the same; & whatever part of one hundred & eighty pounds and interest, if any, may then remain due to them, the

Guardian impowered.

said Silas is hereby authorized to satisfy and discharge out of his said children's part of said real estate by setting off & allotting to them the said Stephen and Ralph respectively in said Division so much thereof as he shall think just, and they shall agree to accept in satisfaction therefor, or if they cannot agree, then such allotment shall be made by impartial freeholders to be named & agreed upon by the said Guardian, and the said Stephen and Ralph, *provided* that the said Silas Nowell Guardian as aforesaid give bond with sufficient sureties to the Judge of Probate for the said County of Essex to be conditioned for the faithful performance of the powers and trusts herein granted.

*Approved November 17, 1792.*

### 1792. — Chapter 28.

[November Session, ch. 5.]

AN ACT PROVIDING FOR THE ESTABLISHMENT OF HOSPITALS FOR ENOCULATING WITH THE SMALL POX & FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* that from and after the first day of December, one thousand seven hundred & ninety two, it shall and may be lawful for the inhabitants of any Town or District within this Commonwealth to establish erect, or set apart, such and so many buildings within the same Town or District for inoculating with the small pox as shall at any time be agreed on by a majority of voters legally qualified to vote in Town affairs in open Town or District meeting — legally assembled for that purpose, having first obtained the consent of the owner of such buildings — *Provided* that no such meeting shall be deemed legal unless public notice shall be given thereof eight days previous to the meeting: And all such buildings or hospitals together with the physicians, patients and all other persons and things within the limits or bounds thereof shall be subject to such rules & regulations as a majority of the Selectmen of the town or district shall judge most effectual to guard against conveying the infection to such persons as have not had the disease, & it shall be at any time lawful for a majority of the inhabitants of such town at a legal meeting to discontinue such Hospital when they shall think proper.

Proviso.

Hospitals may be legally erected.

Proviso.

Selectmen to regulate them.

— May be discontinued.

*Be it further enacted by the authority aforesaid,* that it shall be the duty of the Selectmen of the towns or Districts in which Hospitals shall be licenced as aforesaid to prescribe & mark out bounds or limits to which the patients and others shall be confined and which they shall not transgress; and to cause a red flag to be displayed and such other precautions to be taken as shall give notice to the good citizens of the Commonwealth of the existence of the small pox in such place or places, in order that no person may be exposed to take the infection by passing or otherwise.

Duty of the Selectmen.

*Be it further enacted by the authority aforesaid,* that each Hospital licenced as aforesaid shall be provided with a preparatory House, in which the patients shall reside untill the inoculation shall have taken effect. And shall also be provided with a proper and suitable house or houses for cleansing by smoaking, washing, and airing all persons, cloathing & baggage, which shall come or be brought out of said Hospitals; And the Physician attending such hospitals shall cause the rules and regulations prescribed by the Selectmen as aforesaid, to be fairly written or printed and posted up in some conspicuous place within the hospital, for the information & government of all concerned.

Preparatory & cleaning Houses.

Duty of Physicians.

*And be it further enacted by the authority aforesaid,* that each Physician previously to his entering on the business of attending any such hospital, shall make and execute to the Treasurer of the town or District in which such hospital may be, a bond with sufficient sureties in the penal sum of five hundred pounds, conditioned for the faithful observance of this act, and also such regulations as may be prescribed by the Selectmen as aforesaid as well by himself as all other persons by him employed, or under his care; and in case of a breach or breaches of the condition of such bond the same shall not be liable to be reduced in chancery below the penalties respectively provided by this Act: — And every person who may violate this act or any regulation made in conformity hereto by the Selectmen as aforesaid, shall forfeit a sum not exceeding fifty pounds, one half thereof to the use of the town or District where the offence shall be committed, and the other half thereof to the use of the person who may sue for & recover the same in any Court proper to try the same: And if any Physician or other person shall pre-

— To give bonds.

Forfeitures in case of a breach.

sume to inoculate or suffer him or herself to be inoculated for the small pox in any other place than is or shall be provided in conformity to this Act, the person so offending shall for each offence forfeit & pay a sum not exceeding fifty pounds to be sued for and recovered in manner as aforesaid : —

Proviso.

*Provided always* that in cases where the Small Pox shall unexpectedly break out in any family, whereby the lives of any persons may be exposed by taking the infection in the natural way, and where there is no hospital to which the persons so infected and exposed can be immediately removed, it shall be lawful for a major part of the Selectmen of the town or District in which they reside to grant permission for the inoculation of the persons so exposed, untill suitable accommodations can be provided in an hospital.

Smoke Houses  
may be erected,  
with a

*And be it further Enacted by the authority aforesaid,* that it shall & may be lawful for the inhabitants of any Town or District in the neighborhood of the aforesaid Hospitals who shall conceive themselves in danger of receiving the infection, to erect smoke-houses within the limits of their own Towns or Districts for smoaking such persons together with their cloathing & baggage as may come into their Towns or Districts from said Hospitals; *provided* such Smoke houses shall be agreed upon by a majority of the inhabitants in Town or District Meeting legally Assembled for that purpose.

Proviso.

Persons in-  
fected to be re-  
moved, in case.

*And be it further Enacted by the Authority aforesaid,* that it shall be in the power of the Selectmen of any Town or District, where the Small Pox may happen to be on any great Public Road, or where the lives of the Neighbors would be greatly endangered, to remove any Person infected therewith to some convenient remote place, unless two regular respectable Physicians of the vicinity shall certify that in their opinion such removal would endanger the life of the Patient.

Duration of this  
act.

*And be it further Enacted by the authority aforesaid,* that this Act shall continue & be in force for the term of five years from & after the first day of December, one thousand seven hundred & ninety two.

Former acts re-  
pealed.

*And it is further enacted by the authority aforesaid,* that an act passed in the year of our Lord One thousand seven hundred & seventy six, entitled, “An Act empowering Justices of the Court of General Sessions of the Peace in

the several Counties to permit inoculating Hospitals to be erected in said Counties," & also an Act passed in the same year, entitled, "An Act to prevent the continuance of the Small Pox in the Town of Boston & to licence inoculation there for a limited time," together with an act passed in the year of our Lord One thousand seven hundred & seventy seven in addition to & for amendment of the Act herein first recited shall be & hereby are repealed from & after the first of December next; *provided always* Proviso. that any prosecution or suit for any breach of either of said Acts already committed may be sustained & proceeded with to final judgment & execution notwithstanding the repeal of said Acts as aforesaid, if such prosecution or suit shall appear to be proceeded with by the request of the Selectmen of the town or district where the offence was committed & within one year from the first day of December next; *provided also* Proviso. that any prosecution now pending may be proceeded with to final Judgment & Execution, without any request from the Selectmen as aforesaid, if the person charged shall neglect or refuse to pay the costs that have already arisen by such prosecution.

*Approved November 17, 1792.*

## 1792. — Chapter 29.

[November Session, ch. 7.]

AN ACT FOR INCORPORATING A NUMBER OF THE INHABITANTS OF TURNER AND THE PLANTATION CALLED BUCK TOWN IN THE COUNTY OF CUMBERLAND INTO A DISTINCT RELIGIOUS SOCIETY.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that Simon Record, Joshua Keen, Edmund Irish, John Buck, William Selley, Benjamin Selley, William Lowell, Eleazer Chace, Joshua Davis, Thomas Irish, Stephen Lowell, Jonathan Record, Joseph Roberts Junior, John Thorlo, William Rich, William Berry, Lemuel Crocker, Andrew Elliott, John W. Elliott, Jonathan Philbrick, Joshua Wescot, William Dobb, Jeremiah Hodgdon, James Hodgdon, Thomas Lowell, John Swett, David Warren, Joseph Roberts, John Irish, Junr., Enoch Hall, Nathaniel Smith, Jonathan Roberts, Jotham Shaw, James Jordan, Caleb Young, Amos Brown, Richard Taler, Joseph Chace, John Irish, Samuel Blake, Samuel Andrews, Asa

Persons incor-  
porated.



Smith, Mark Andrews, Henry Jones, Benjamin Jones, Jaziel Smith Junr., Laban Smith, Daniel Child, Hezekiah Bryant, Levi Merrick, Richard Phillips, John Dillingham, Samuel Gorham, Jesse Bradford, Jaziel Smith, Daniel French, Daniel Merrill, John Brown, Ezekiel Bradford, Joseph Leavitt, Nathaniel Gilbert, *Members of the said Religious Society* together with their Estates be and they hereby are Incorporated by the name of the Baptist Society of Turner & Buck town with all the Priviledges powers and Immunities, to which other Parishes in the commonwealth are by law entitled.

Josiah Thatcher  
to issue his war-  
rant.

*And be it further enacted* that Josiah Thatcher Esqr. is hereby authorized to Issue his warrant directed to some principal member of said Society, requiring him to warn the Members of the said Society qualified to vote in Parish affairs, to assemble at some suitable time and place in said Town or Plantation, to chuse such Parish officers as are by law required to be chosen in the month of March or April annually and to transact all such matters and things as are necessary and may be legally done in said Society.

*Approved November 17, 1792.*

### 1792. — Chapter 30.

[November Session, ch. 8.]

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE TRUSTEES OF THE MARBLEHEAD ACADEMY.

Preamble.

*Whereas a suitable number of Academies within this Commonwealth for the education of youth are of common benefit, and it appears that a tract of land with a building thereon suitable for an Academy, and with other requisite advantages for the support thereof, have been provided in Marblehead.*

Persons incor-  
porated.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that Samuel Sewall, Robert Hooper, Samuel Hooper, William Raymond Lee, Elisha Story, Samuel Russell Trevett, John Humphreys, John Goodwin, Marston Watson, Richard Homan, Joseph Sewall, Samuel Bartoll, John Dixey, Richard Pedrick, Ebenezer Graves and Burrill Devereux, with all others who have or shall become benefactors to the Academy which has been instituted in Marblehead in the County of Essex by any gift or donation which shall be accepted by the Trustees for the time being, and also

the Preceptor of the said Academy by virtue of his office are & shall be hereby established and made a body politic and corporate by the name of the Trustees of the Marblehead Academy, and they & the survivors of them, and their successors to be appointed as herein after is provided, shall be and continue a body politic & corporate by the same name forever, and by that name the said Corporation may sue and shall be liable to be sued and shall have power by their officers, Agents or Attornies to prosecute and defend in all actions, real, personal & mixed, untill final judgment execution and satisfaction : And the said Corporation shall have and use a common seal, which they may break, alter and renew at their pleasure : *Provided* that when any person shall decline to serve as a Trustee and such resignation shall be recorded by the said Corporation, his place shall be deemed vacant.

Their power.

Common seal.

Proviso.

*And be it further enacted by the authority aforesaid*, that a tract of land conveyed by William Burgess, and the adjoining tract conveyed by Oliver Peabody and Frances his wife to the said Marston Watson and several others before named, situate in said Marblehead, also the building called the Academy erected thereon, and the previledges and appurtenances thereof being now the property of the said Trustees above named shall be deemed and taken to be the property of the said Corporation, who likewise are, & shall be capable in law to take and receive by gift, grant, bargain, devise or otherwise any lands tenements or other estate real & personal, and whereof the annual income shall not exceed the sum of two thousand dollars in silver, to have and to hold the same for the sole trust & purpose of supporting an academy in said Marblehead for the promotion of piety religion & morality & for the education of youth in the liberal arts and sciences, and all other useful learning, according to the requisition of any gift or bequest which shall be made to the said Corporation, or as the Trustees for the time being shall & may direct and ordain : And the said Corporation shall have full power and authority to lease and manage their lands, tenements and all other estate, and to bargain sell and dispose thereof where they shall not be restrained by the terms of any gift or devise ; *provided* that for the sale of any real estate the property of said Corporation, the concurrence of two thirds of all the Trustees for the time being, shall be required : And all deeds or contracts sealed with the

Specified lands the property of the corporation.

Corporation capable in law to receive and dispose of any estate, &c. in case.

Proviso.

Contracts to be binding, in case.

common seal of the said Corporation, and signed by any officer thereof, or any Trustee pursuant to their order, shall be valid and effectual in law to all intents.

Power of the Corporation.

*And be it further enacted by the authority aforesaid,* that the said Corporation shall have power, by standing rules or otherwise to determine the times and places of meeting, the manner of notifying the Trustees and the methods of proceeding thereat, also to elect such officers of the said Corporation as they shall judge necessary, and to appoint and provide a Preceptor of the said Academy, with all needful Assistants, & to determine the powers, duties and salaries of their respective officers, and to ascertain the qualifications & terms of admission of all Students which shall be received at the said Academy, and to make and ordain all other reasonable rules, orders & bye laws, with penalties or without, and not repugnant to the laws of this Commonwealth, as well for the good government of the said Corporation, as for the better regulation of the said Academy, and all such rules, orders & bye laws to repeal.

Further power.

*And be it further enacted by the authority aforesaid,* that whenever the number of the Trustees of the said Academy shall be less than fifteen, the Trustees for the time being shall have power, and it shall be their duty to nominate, elect & appoint other suitable persons as Trustees, untill that number shall be compleat.

Legislature empowered, with a

*And be it further enacted by the authority aforesaid,* that the Legislature of this Commonwealth may from time to time when, & in such manner as shall be thought fit, inquire into the doings of the said Corporation and their performance of the trusts aforesaid, and upon any breach thereof; or other sufficient cause to the said Legislature upon due notice to the said Corporation & a full hearing thereupon, sufficiently appearing, may annul the grant and authorities hereby made, or such part thereof as the said Legislature shall thereupon determine: *Provided* that all and singular the estates of the said Corporation, shall thereupon revert to the donors thereof, or according to any limitation in any grant or donation made.

Proviso.

*Approved November 17, 1792.*

# 1792. — Chapter 31.

[January Session, ch. 1.]

AN ACT IN ADDITION TO, AND FOR AMENDING AN ACT PASSED THE NINTH DAY OF JUNE ONE THOUSAND SEVEN HUNDRED AND NINETY, INTITLED, “AN ACT FOR INCORPORATING THE SOUTHERLY PART OF THE TOWN OF PLYMPTON IN THE COUNTY OF PLYMOUTH INTO A TOWN BY THE NAME OF CARVER.”

*Whereas disputes have arisen respecting the dividing line between the towns of Plympton and Carver; for preventing of which in future,* Preamble.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that the dividing line between the said towns of Plympton and Carver shall be the same line that is now known and established, as the dividing line between the north and south Precincts in said town when they were both Plympton, and shall forever hereafter be so considered and understood. Dividing line established.

*Approved February 8, 1793.*

# 1792. — Chapter 32.

[January Session, ch. 2.]

AN ACT FOR ADMITTING INHABITANTS OF TOWNS, AND CERTAIN OTHER CORPORATIONS, TO BE WITNESSES AS WELL FOR AS AGAINST SUCH TOWNS AND CORPORATIONS, IN SUITS AT LAW.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that in all suits at law, whether of a civil or criminal nature, now depending, or that hereafter may be depending in any Court, or before any Justice of the Peace within this Commonwealth, wherein any Town, District, Precinct or Parish, or other religious incorporate Society is, or may be a party, or interested in the event of the suit; any inhabitant of such Town, District, Precinct or Parish, or member of such other religious incorporate Society, shall and may be admitted as a competent witness; and his deposition may be used, if duly taken, and for legal cause, in the trial of the cause as well for as against such town or other Corporation, *provided* he hath no other interest therein, than as an inhabitant or Inhabitants and members of Societies admitted as Witnesses in suits at law.

Proviso.

member of such town or other Corporation, and is not otherwise legally disqualified; any law, usage or custom to the contrary notwithstanding.

*Approved February 13, 1793.*

### 1792. — Chapter 33.

[January Session, ch. 3.]

AN ACT TO SUSPEND FOR A CERTAIN TIME AN ACT PASSED ON THE FOURTEENTH DAY OF FEBRUARY IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND EIGHTY NINE, INTITLED, "AN ACT FOR LIMITING THE TIME IN WHICH SUITS MAY BE PROSECUTED AGAINST EXECUTORS AND ADMINISTRATORS; & FOR PERPETUATING THE EVIDENCE OF NOTICES GIVEN BY THEM, AND BY GUARDIANS AND OTHERS, RESPECTING THE SALE OF REAL ESTATE."

Preamble.

*Whereas the operation of the said Act and of another Act in addition thereto passed on the fourteenth of February One thousand seven hundred & ninety two may defeat many Creditors unless a longer time is allowed for commencing and suing actions against Executors & Administrators.*

Former Act  
suspended.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that the said Act passed on the fourteenth day of February One thousand seven hundred and eighty nine, shall be so far suspended, that all actions, which by the Acts herein before recited, are limited so as they cannot be commenced & sued for after the fourteenth day of February current, shall and may be commenced and sued any time before the first day of June next, any thing in the said Act to the contrary notwithstanding.*

*Approved February 14, 1793.*

### 1792. — Chapter 34.

[January Session, ch. 4.]

AN ACT REPEALING IN PART A CLAUSE IN AN ACT PASSED MARCH THE FIFTH ONE THOUSAND SEVEN HUNDRED & EIGHTY FIVE INTITLED "AN ACT FOR INCORPORATING THE PLANTATION OF SHAPLEIGH IN THE COUNTY OF YORK INTO A TOWN BY THE NAME OF SHAPLEIGH" AND FOR ANNEXING CERTAIN LANDS TO LEBANON.

Preamble.

*Whereas the proprietors of a certain grant or parcell of land within the bounds of Shapleigh and known by the*



*name of Woodman's Grant have petitioned this Court that the said tract of land which by the said Act is annexed to the town of Leban[n]on may be annexed to the town of Shapleigh:*

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same, that the clause in the aforesaid Act annexing the grant of land laid out to Woodman Cook & Bagley to Lebanon be and the said clause is hereby repealed, so far as it relates to Woodman's Grant aforesaid.*

Clause in a former Act repealed.

*And be it further enacted by the authority aforesaid, that the tract of land granted to Woodman be and it hereby is annexed to and forever hereafter shall be considered as a part of and belonging to the Town of Shapleigh any thing in the aforesaid act to the contrary notwithstanding: Provided nevertheless, that the inhabitants on Woodman's Grant aforesaid shall be held to pay all taxes heretofore assessed on them by the Town of Lebanon.*

Woodman's grant annexed to Shapleigh, with a

Proviso.

*Approved February 14, 1793.*

## 1792. — Chapter 35.

[January Session, ch. 5.]

AN ACT IN FURTHER ADDITION TO AN ACT INTITLED "AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER IN THE COUNTY OF ESSEX; AND FOR SUPPORTING THE SAME."

*Whereas the Proprietors of Essex Merrimack Bridge have represented to this Court that, the said Bridge has been much more expensive than upon calculation was expected; and it being reasonable to grant to the said Proprietors some further benefit than in said Act is contained.*

Preamble.

*Be it therefore Enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same, that the toll in and by the said Act granted and established, shall continue to be received by the said proprietors for the term of fifty years from the day of the first opening of the said Bridge, without any interposition of the Legislature for the regulation of said toll within said term, as in said Act is provided.*

Time of receiving Toll extended.

*Approved February 15, 1793.*

## 1792. — Chapter 36.

[January Session, ch. 6.]

AN ACT TO SET OFF JONATHAN KIDDER AND OTHERS FROM THE TOWN OF SUTTON IN THE COUNTY OF WORCESTER, AND TO ANNEX THEM TO THE TOWN OF OXFORD.

Persons set off  
from Sutton  
and annexed to  
Oxford, with a

Proviso.

*Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same, that Jonathan Kidder, Samuel Blanchard and Arthur Dagget with all their estates be, & they hereby are set off from the town of Sutton, & annexed to the town of Oxford, there to do duty, and receive privileges equal to other inhabitants in said town of Oxford. Provided nevertheless, that the said Jonathan Kidder Samuel Blanchard and Arthur Dagget respectively be held to pay all taxes already assessed on them by the town of Sutton, in the same manner as they would have been if this Act had not passed.*

*Approved February 18, 1793.*

## 1792. — Chapter 37.

[January Session, ch. 7.]

AN ACT FOR INCORPORATING A NUMBER OF THE INHABITANTS OF THE TOWN OF HAVERHILL, AND OF THE NEIGHBOURING TOWNS IN THE COUNTY OF ESSEX INTO A DISTINCT & SEPARATE RELIGIOUS SOCIETY.

Persons incor-  
porated

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, That William Greenleaf, John Green, John White, James Duncan, James Duncan junr. William Greenleaf junr. Leonard White, Thomas Rummer, William Smiley, Jonathan Mooers, Ebenezer Wood, Justin Kent, Joseph Atwood junr. Joseph Peabody, Obadiah Carleton, Isaac Cole, Daniel Thurston, Eliphalet Buck, Nathan Baker, Benjamin Chase, James Greenleaf, Joshua Page, Samuel Trask, Joel Harriman, Jonathan Shepard, Elisha Woodberry, Benjamin Mooers, Kimball Carleton, Daniel Greenleaf, James Smiley, Moses Morss, Samuel Merrill, Ephraim Corliss, John Emery, David Hobart, Matthew Pettingell, Abijah Kelley, Jeremiah Fitz, Richard Hastings, Richard Bailey, Abiah Page, Lewis Bailey, Daniel Bradley junr. Benjamin Kimball, John Kezer Gile, Joseph Atwood, Simon Ayer, Jonathan Luskin, Israel Carleton, Joseph Harriman, William Tapley, Phineas*

Nichols, Anthony Kelley, Thomas Clark, Nehemiah Sargent, Enoch Nichols, John Morss, Isaac Davis, Samuel Farrington, Nathan Currier, Nehemiah Sargent junr. Moses Plummer, Ebenr. Farrington junr. Asa Messor, James Wilson, Alpheus Messer, Nathaniel Messer, Ebenezer Messer, Ebenezer Messer junr. and Jonathan Currier, Members of the said Religious Society, together with their Polls and Estates be and they are hereby incorporated by the name of the Baptist Religious Society in Haverhill with all the priviledges, powers and immunities which any Parish in this Commonwealth is by Law entitled to.

into a Baptist Society.

*And be it further Enacted by the Authority aforesaid,* That any and every person in the Town of Haverhill and in the neighbouring Towns, in said County of Essex, who may at any time hereafter actually become a Member of and unite in Religious Worship with said Society in said Haverhill and give in his or her name to the Clerk of the Parish to which he or she belonged with a Certificate signed by the Minister or Clerk of said Society that he or she hath actually become a member of & united in Religious Worship with said Baptist Religious Society in Haverhill, fourteen days previous to the Parish Meeting therein to be held in the Month of March or April annually, shall, from and after giving such certificate, with his or her Polls and Estates be considered as a Member of said Society. *Provided however* that such person shall be held to pay his or her proportion of all Monies assessed or voted in the Parish to which he or she belonged previous to that time.

Persons joining said Society to give notice thereof.

Providio.

*And be it further Enacted by the Authority aforesaid,* that when any Member of said Society shall see cause to leave the same, and unite in Religious Worship with any other Religious Society in the Town or Parish in which he or she may live and shall give in his or her name to the Clerk of said Baptist Religious Society, with a Certificate Signed by the Minister or Clerk of the Parish or other incorporate Religious Society with which he may unite, that he hath actually become a Member of and united in religious worship with such other Parish or other incorporate Religious Society, fourteen days previous to their annual Meeting in March or April, and shall pay his or her proportion of all Monies Voted in said Society to be raised previous thereto, shall from and after giving such

Members may leave said Society, by giving notice.

Certificate, with his or her Polls and Estates, be considered as a member of the Society to which he or she hath so united.

Samuel White,  
Esq. to issue  
a Warrant.

*And be it further Enacted by the Authority aforesaid,* That Samuel White Esqr. be and he is hereby authorized to issue his Warrant directed to some principal Member of the said Society, requiring him to Warn the Members of the said Society qualified to Vote in Parish Affairs to assemble at some suitable time and place in said Town of Haverhill, to chuse such Parish Officers as are by Law required to be chosen in the Month of March or April annually, and to transact all matters and things necessary to be done in said Society. *Approved February 18, 1793.*

### 1792. — Chapter 38.

[January Session, ch. 8.]

AN ACT TO SETT OFF WILLIAMS ALLEN & OTHERS FROM THE TOWN OF DARTMOUTH AND ANNEX THEM TO THE TOWN OF WESTPORT.

Persons set  
off from  
Dartmouth

*Be it enacted by the Senate & House of Representatives in General Court assembled and by the Authority of the same* — That Williams Allen, Abner Wilcox, John Cornell, Rustcomb Kierby, Ebenezer Allen, Warren Gifford, Michael Wainer, David Wing, Prince Wing, Joseph Wing, Edward Wing junr., Peleg White, Jonathan Russell, David Soule, Job Sisson, Job Earl, Joshua Earl, Richard Kierby, Jonathan Tawman junr. Job Anthony, Henry Brightman, Ellis Brightman, Peleg Cornell Thomas Cornell, Isaac Tripp, James Tripp junr., George Brownell the third, Isaac Cory, Jonathan Potter, John Howland, John Cornell, Job Lawton, David Lawton, John Lawton, Adam Lawton, Richard Lawton & George Lawton junr. with their respective families and estates lying within the boundary line of the Town of Westport in the County of Bristol having been annexed to the Town of Dartmouth be and they hereby are set off from the said Town of Dartmouth & annexed to the said Town of Westport with all the priviledges & immunities of other Inhabitants of said Town of Westport.

and annexed  
to Westport,  
with a

Proviso.

*Provided nevertheless* that the said Williams Allen, & others herein before named shall be holden to pay all Taxes assessed against them in said Town of Dartmouth,

prior to the passing this Act in the same way, & manner, they were before holden to pay the same, any thing in this Act to the contrary notwithstanding.

*Approved February 25, 1793.*

## 1792. — Chapter 39.

[January Session, ch. 9.]

AN ACT IN ADDITION TO AN ACT INTITLED "AN ACT INCORPORATING THE HONORABLE JOHN WORTHINGTON ESQR. AND OTHERS THEREIN NAMED, FOR THE PURPOSE OF RENDERING CONNECTICUT RIVER PASSABLE FOR BOATS AND OTHER THINGS FROM THE MOUTH OF CHICKAPEE RIVER NORTHWARD THROUGHOUT THIS COMMONWEALTH BY THE NAME OF THE PROPRIETORS OF THE LOCKS AND CANALS ON CONNECTICUT RIVER."

*Whereas it will be necessary for the Corporation named in the above mentioned act, to raise large sums of money to erect said Locks and Canals, and to compleat the purposes of their institution.* Preamble.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same that, the said Corporation be, and they are hereby authorized and empowered to assess such sums of money from time to time, on the Proprietors named in said Act respectively, or on their shares, or the shares of their assignees respectively, as they shall deem necessary for carrying on and compleating the works aforesaid: And the monies so assessed, shall be paid into the Treasury of said Corporation, and if any of the said proprietors or owners of shares in said Locks and Canals shall neglect to pay to the Treasurer of said Corporation, his proportion of a tax so assessed for the term of thirty days after notice is given of such tax in two of the News papers published in the County of Hampshire, the said Treasurer is hereby authorized to sell at public auction the right and interest, share or shares of such delinquent Proprietor; and if the right or share so sold shall sell for more than the tax thereon, with the incidental charges, the overplus shall be returned to the owner on demand. And the said Treasurer at the time he shall give notice of the tax aforesaid, shall also give notice of the time and place of the sales aforesaid in case of delinquency; And he shall give the purchaser a certificate of the right or shares sold to him as aforesaid, which certificate shall be re-*

Corporation  
authorized to  
assess money,

and in case of  
delinquency, to  
sell the Shares;

first giving  
notice to the  
delinquent.



corded by the Clerk of said Proprietors, in a Book to be kept for the purpose, and shall entitle such purchaser his heirs and assigns, to all the interest and benefit, which the original Proprietor had therein, and shall subject him and them to all the rules and regulations of the Corporation.

Shares trans-  
ferable.

*Be it enacted* that the right and share of any Proprietor in the said Locks and Canals may be transferred by deed acknowledged, and recorded by the Clerk of the Proprietors in the Book aforesaid : And the Clerk shall be sworn faithfully to execute all the duties of his office.

Clerk to be  
sworn.

Corporation  
impowered,  
with a

*Be it further enacted* that the said Corporation be, and they are hereby impowered to establish such rules, regulations and bye laws, as they shall deem necessary and convenient for the good Government of said Corporation ; and to annex such fines for a breach thereof as they shall judge proper, not exceeding three pounds for any one offence. *Provided* such rules, regulations and bye laws, shall not be repugnant to the Constitution and Laws of this Commonwealth.

Proviso.

May have a  
Common Seal.

*Be it further Enacted*, that the said Corporation be, and they are hereby impowered to have & use a Common Seal, and the same at pleasure to break, alter or renew.

Shares to be  
deemed per-  
sonal estate.

*Be it further Enacted* that, the right, title and property of the said Corporation, and of each individual thereof, in said Locks and Canals, and their appurtenances be, and the same is hereby declared to be personal estate to all intents and purposes whatsoever.

*Approved February 25, 1793.*

## 1792. — Chapter 40.

[January Session, ch. 10.]

AN ACT TO SET OFF CALEB WOODS AND OTHERS FROM GROTON,  
AND TO ANNEX THEM TO DUNSTABLE.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that Caleb Woods, Silas Blood, Amaziah Swallow, Nathaniel Cummings, Ebenezer Procter, Silas Blood junr. Silas Marshall, Levi Parker, Amos Woods, Isaac Lawrence, Peter Blood, Caleb Blood junr. Henry Blood, Caleb Woods junr. and Silas Marshall junr. together with their families and estates, and also the estates of Doctor Jonas Marshall, the heirs of Captain Solomon Woods deceased, and Joseph Parkhurst which they now own in said

Persons set off  
from Groton,

Groton be, and they are hereby set off from the town of Groton in the County of Middlesex, & annexed to Dunstable in said County, and shall hereafter be considered a part of the same, there to do duty and receive privileges as the other inhabitants of said Dunstable. *Provided* <sup>and annexed to Dunstable.</sup> *nevertheless* that the persons abovementioned shall pay all taxes that have been legally assessed on them by said Groton, in the same manner as if this Act had never been passed. <sup>Providso.</sup>

*Approved February 25, 1793.*

### 1792. — Chapter 41.

[January Session, ch. 11.]

AN ACT FOR GIVING LIBERTY TO PLEAD THE GENERAL ISSUE AND GIVE THE SPECIAL MATTER IN EVIDENCE IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that in all actions now depending, or that may be hereafter depending in any Court within this Commonwealth, wherein the Defence intended to be set up by the Defendant, is, or may be, that he was a Justice of the Peace, Sheriff, Deputy Sheriff or Coroner, or a Town, District, Precinct or Parish Officer, or some other Officer civil or military, and that the act or thing for which he is, or may be sued, is or may be any act or thing done by him, by virtue, or in the execution of his office, the Defendant may plead the general issue, and give the special matter in evidence, upon filing in the cause a brief statement of such special matter of defence, within such time as the Court shall order, of which statement the Plaintiff shall be entitled to a copy, or he may plead specially at his election. <sup>General Issue may be pleaded in certain cases.</sup>

*Approved February 25, 1793.*

### 1792. — Chapter 42.

[January Session, ch. 14.]

AN ACT FOR ALTERING THE TIME OF HOLDING THE COURT OF GENERAL SESSIONS OF THE PEACE AND THE COURT OF COMMON PLEAS WITHIN AND FOR THE COUNTY OF WORCESTER, FROM THE TUESDAY NEXT PRECEDING THE LAST TUESDAY OF MARCH TO THE FOURTH TUESDAY OF MARCH.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of*

Former act  
repealed.

*the same*, that the Act entitled An Act for determining at what times & places the several Courts of General Sessions of the peace and the Courts of Common Pleas shall be holden within & for the several Counties within this Commonwealth, and for repealing all laws heretofore made for that purpose, so far as it respects the holding of the Court of General Sessions of the Peace and the Court of Common Pleas, within and for the County of Worcester on the Tuesday next pre[e]ceding the last Tuesday of March, be and it is hereby repealed.

Time altered.

*And be it further enacted by the Authority aforesaid*, that from and after the passing this Act, the time of holding the Court of General Sessions of the Peace and Court of Common Pleas, within and for the County of Worcester, shall be on the fourth Tuesday of March annually.

All actions &c.  
made returnable  
thereto.

*And be it further enacted by the Authority aforesaid* that all appeals already made, recognizances taken, or that may before the aforesaid Tuesday next preceding the last Tuesday of March next, be made or taken to the aforesaid Court of General Sessions of the Peace, and all actions already commenced, or that may be commenced, and all processes returned or that may be returnable before the aforesaid Tuesday next preceding the last Tuesday of March next, and all appeals claimed or which may be claimed and all actions pending at the aforesaid Court of Common Pleas which before the passing of this act was to have been holden on the Tuesday next preceding the last Tuesday of March next, shall be returnable to, entered, made, proceeded on, tried and determined agreeably to the true intent of such writ, process, recognizance or appeal at the Court to be holden in said County on the fourth Tuesday of March next.

*Approved March 2, 1793.*

## 1792. — Chapter 43.

[January Session, ch. 12.]

AN ACT FOR SETTING OFF ELIJAH WHITNEY FROM THE TOWN OF SHREWSBURY IN THE COUNTY OF WORCESTER, AND ANNEXING HIM TO THE TOWN OF WESTBOROUGH IN THE SAME COUNTY.

Elijah Whitney  
set off from  
Shrewsbury,

*Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same*, that Elijah Whitney of Shrewsbury, in the

County of Worcester, with his lands and buildings be, and they hereby are set off from the said town of Shrewsbury, and annexed to the town of Westborough in the same County; and forever hereafter shall be considered as belonging to, and making part of the said town of Westborough, there to do duty, and receive priviledges equal to other inhabitants in said town.

*Provided nevertheless* that, the said Elijah Whitney be held to pay all taxes already assessed on him, or his said lands by the town of Shrewsbury in the same manner as he would have been if this Act had not passed.

*Approved March 2, 1793.*

## 1792. — Chapter 44.

[January Session, ch. 13.]

AN ACT TO ENABLE THE TOWN OF NEWBURY TO REGULATE AND ORDER THE TAKING OF FISH CALLED SHAD, BASS AND ALEWIVES IN THE RIVER PARKER, WITHIN THE LIMITS OF SAID TOWN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* that from and after the publication of this Act it shall, and may be lawful for the inhabitants of said town of Newbury at their annual meeting in March or April, during the continuance of this Act, to determine and order in what manner, & at what time the said fish called Shad, Bass and Alewives in the river Parker may be taken within the limits of said town. And the said inhabitants shall cause a copy of such order, attested by the town clerk, to be posted up in some public place in said town, whereunto all persons shall conform, with respect to the taking said fish called Shad, Bass and Alewives, in the river Parker within said town of Newbury, on penalty, that each and every offender against the same, shall forfeit and pay the sum of twenty shillings, to be sued for & recovered before any Court proper to try the same; one moiety to the informer, and the other moiety to the poor of said town of Newbury.

*Approved March 2, 1793.*

and annexed to  
Westborough,  
with a

Proviso.

Manner in  
which Fish may  
be taken, to be  
notified by the  
Town Clerk.

Forfeiture.

## 1792. — Chapter 45.

[January Session, ch. 15.]

AN ACT IN ADDITION TO AN ACT, INTITLED "AN ACT TO ESTABLISH AN ACADEMY IN THE TOWN OF HALLOWELL BY THE NAME OF HALLOWELL ACADEMY."

Preamble.

*Whereas it is represented to the General Court, that an inconvenience has arisen on account of the distance of the Members of the Corporation or Trustees of said Academy from each other, it having been found difficult to obtain a meeting of a majority of all the members of said Corporation to transact the necessary business of the said Academy :*

Number of  
Trustees to  
constitute a  
quorum.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that from and after the passing of this Act, seven or more of the Trustees of the said Academy present at any meeting of the Trustees, shall constitute a quorum to transact all the business of the said Academy ; the transaction of which, by the Act establishing said Academy required the presence of a majority of the whole, provided all the members, shall have been duly notified of such meeting, excepting in the question of a removal of the Academy, which shall require two thirds of all the Members conformably to the Act to which this is an addition.*

*Approved March 2, 1793.*

## 1792. — Chapter 46.

[January Session, ch. 16.]

AN ACT TO ANNEX A CERTAIN GORE OF LAND TO THE TOWN OF WEST STOCKBRIDGE.

Gore of Land  
annexed.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same that a Gore of Land lying west of the Town of West Stockbridge between the said Town and the East line of the State of New York & bounding South on the north line of the Town of Alford together with all the Inhabitants living on said Gore of Land be and hereby are annexed to the said Town of West Stockbridge ; and the said Inhabitants living on said Gore of Land shall do the same Duties and receive the same Priviledges as other Inhabitants of said Town.*

*Approved March 2, 1793.*



# 1792. — Chapter 47.

[January Session, ch. 19.]

AN ACT FOR NATURALIZING GEORGE WILLIAM ERVING.

*Whereas George William Erving hath petitioned the General Court that he may be naturalized, & thereby become intitled to all the rights and priviledges of a free Citizen.*

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same that the aforesaid George William Erving taking and subscribing the oath of allegiance to this Commonwealth and the oath to support the Constitution of the United States before two Justices of the Peace quorum unus, shall be deemed adjudged and taken to be a free citizen of this Commonwealth and intitled to all the priviledges and immunities of a citizen.*

Geo. W. Erving,  
naturalized.

*And be it further enacted that the Justices before whom the said George William Erving shall take and subscribe the said Oath shall return a certificate of the same into the Secretary's Office that it may be there recorded.*

—To subscribe  
the oath.

*Approved March 9, 1793.*

# 1792. — Chapter 48.

[January Session, ch. 18.]

AN ACT IN ADDITION TO AN ACT, INTITLED "AN ACT TO INCORPORATE THE PLANTATION NUMBER SEVEN, SO CALLED IN THE COUNTY OF HAMPSHIRE INTO A TOWN BY THE NAME OF HAWLEY."

*Whereas by the Act aforesaid for incorporating said new Plantation Number Seven into a town, passed the fifth day of February, One thousand seven hundred and ninety two, a small part of said Plantation on the west side thereof, which lyeth in the County of Berkshire, was through inadvertence omitted, and not included within the limits of said town, which will be very prejudicial to the proprietors and owners thereof: And whereas it will be convenient and beneficial for the proprietors and inhabitants thereof, that the whole of said town should lie in the County of Hampshire.*

Preamble.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, & by the author-*

Plantation  
incorporated.

*ity of the same*, that the whole of said Plantation Number Seven be included in the said town of Hawley & that the west line of said town of Hawley be extended so far westward into the County of Berkshire, as to comprehend the same Plantation; and that the said west line henceforth

Boundaries.

be as follows, to wit, beginning at a tree marked with a heap of stones about it, being the southwest corner of said Plantation Number seven, and extending thence in a strait line to the northwest corner thereof, being also a tree marked with a heap of stones about it.

*And be it further enacted* that, the whole of the said town of Hawley be annexed to, and be part of the said County of Hampshire.

*Approved March 9, 1793.*

### 1792. — Chapter 49.

[January Session, ch. 20.]

AN ACT FOR INCORPORATING THE SOUTH PRECINCT OF THE TOWN OF BRAINTREE IN THE COUNTY OF SUFFOLK, INTO A SEPARATE TOWN BY THE NAME OF RANDOLPH.

Randolph  
incorporated.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same*, that the Lands comprised within the South Precinct in Braintree as the same is now bounded, with the Inhabitants dwelling thereon, be and they hereby are incorporated into a Town by the name of Randolph; and the said Town of Randolph is hereby invested with all the powers priviledges and immunities to which Towns within this Commonwealth are or may be intitled, agreeably to the Constitution and Laws of the said Commonwealth.

— To pay  
arrears of taxes.

*Be it further enacted by the Authority aforesaid* that the Inhabitants of the said Town of Randolph, shall pay all the arrears of Taxes which have been assessed upon them by the Town of Braintree and shall support any poor person or persons who have heretofore been or now are Inhabitants of that part of Braintree which is hereby incorporated and are or may become chargeable, and who shall not have obtained a settlement els[e]where when they may become chargeable; and such poor person or persons may be returned to the Town of Randolph in the same way and manner that Paupers may by Law be returned to the Town or District to which they belong. And the Inhabitants of the said Town of Randolph shall pay their proportion of all Debts now due from the Town of Brain-

tree and shall be entitled to receive their proportion of all debts and monies now due to the said Town of Braintree and also their proportionable part of all other property of the said Town of Braintree of what kind or description so ever. *Provided always*, that the lands belonging to the said Town of Braintree for the purpose of maintaining Schools, shall be divided between the said Town of Braintree, and the said Town of Randolph in the same proportion as they were respectively assessed for the payment of the last State Tax; Proviso.

*Provided nevertheless and be it further enacted* that any of the Inhabitants now dwelling within the bounds of said Town of Randolph who have remonstrated against the division of the Town of Braintree and who may be desirous of belonging to said Town of Braintree, shall at any time within Six months from the passing of this Act by returning their names into the Secretary's Office and signifying their desire of belonging to said Braintree have that privilege, and shall with their polls and estates, belong to and be a part of said Braintree, by paying their proportion of all Taxes which shall have been laid on said Town of Randolph previously to their thus returning their names, as they would by Law have been holden to pay had they continued to be a part of the Town of Randolph. Proviso.

*And be it further enacted by the Authority aforesaid*, that Samuel Niles Esqr. be and he is hereby authorized to issue his Warrant directed to some principal Inhabitant of the said Town of Randolph requiring him to warn and give notice to the Inhabitants of the said Town, to assemble and meet at some suitable time and place in the said Town of Randolph as soon as conveniently may be, to choose all such Officers as Towns are required to choose at their annual Town meeting in the Month of March or April annually. Samuel Niles,  
Esq., to issue  
his Warrant.

*Approved March 9, 1793.*

## 1792. — Chapter 50.

[January Session, ch. 21.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT & DIRECTORS OF THE UNION BANK."

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the*

Treasurer  
authorized to  
subscribe.

*same*, that the Treasurer of this Commonwealth be, & he hereby is authorized & directed to subscribe in behalf of the Commonwealth Two hundred thousand Dollars in addition to the capital Stock of the President & Directors of the Union Bank aforesaid; which sum so subscribed shall be paid into the Bank aforesaid, One moiety thereof at the time of subscribing as aforesaid, & one fourth part of said sum on or before the first day of June, one thousand seven hundred & ninety four, & the other fourth part on or before the first day of June, which will be in the year one thousand seven hundred & ninety five, which when paid as aforesaid shall form & remain part of the Capital Stock of the said Union Bank during the continuance of said Corporation; *Provided*, that the Commonwealth may, if the Legislature shall think fit, at any time hereafter during the existence of the said Bank subscribe a further sum of Two hundred thousand Dollars for the purposes aforesaid, & *provided* that no part or proportion of the sums of Money so ordered to be subscribed, or which may hereafter be ordered by the Legislature to be subscribed to the said Union Bank in behalf of the Commonwealth shall be loaned on Mortgage. And the Commonwealth shall be entitled to receive out of the interest & profits arising from the said Bank a sum in proportion to their actual payments of the sum by them subscribed from the time of their making the same.

Provisos.

Commonwealth  
to receive  
interest.

Treasurer  
appointed  
Director.

*And be it further Enacted, by the authority aforesaid*, that the Treasurer of the Commonwealth for the time being, shall *ex officio* be a Director of the said Bank, in addition to the Directors by law to be chosen by the Stockholders. And the Directors of the said Bank shall furnish the Legislature, or, in their recess, the Supreme Executive with a statement of their proceedings whenever, & as often as thereto required by either.

Proviso.

*Provided however, And be it further enacted, by the authority aforesaid*, that the Legislature shall have a right hereafter from time to time to appoint a number of Directors of the said Bank in proportion as the sum paid from the Treasury of the Commonwealth shall bear to the whole amount of the Stock actually paid into the said Bank, if at any time hereafter they shall judge fit to exercise that right.

Treasurer to  
deposit monies  
in the Bank.

*And be it further Enacted by the authority aforesaid*, that the Treasurer of the Commonwealth be & he hereby is directed to deposit all Monies belonging to the Com-



monwealth, now in his possession or controul, & all such as he may from time to time receive, in the Vaults of the said Union Bank for safe keeping, except such sums as may be necessary for immediate use, untill the further Order of the General Court.

*And be it further Enacted, by the authority aforesaid,* that the property of any Stockholder in said Bank & his shares therein, shall be answerable to the said Corporation for the payment of all bonds, notes or other demands which the said Corporation shall have against such Stockholder, & which shall have been given or accrued to said Corporation previous to any attachment upon the said property or shares, & upon the sale thereof by virtue of any execution the amount then due, or becoming due with a proper discount for any anticipated payment upon such bonds, notes or demands of the said Corporation, shall be deducted & paid to them from the proceeds of such sale by the officer making the same, who shall be accountable for the remainder only upon such Execution to the Creditor.

Property of  
Stockholders  
to be security  
for payment  
of bonds, &c.

*Approved March 9, 1793.*

## 1792. — Chapter 51.

[January Session, ch. 22.]

AN ACT EMPOWERING CHARLES BARRETT ESQR. TO ERECT LOCKS AND OPEN A NAVIGABLE CANAL FROM THE UPPER PART OF BARRETTSTOWN, SO CALLED, IN THE COUNTY OF LINCOLN WITH THE SEA, THROUGH GEORGE'S RIVER, SO CALLED.

*Whereas Charles Barrett esqr. has petitioned this Court for leave to open a Canal to avoid the Falls in George's River, so called, in the County of Lincoln; and whereas such undertakings by facilitating the means of communication and transportation are greatly beneficial to the trade of the Commonwealth;*

Preamble.

*Therefore, Be it Enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same,* that the said Charles Barrett of New Ipswich in the State of New Hampshire esqr., his heirs and assigns be, and they hereby are authorized and empowered within the term of six years from the passing of this Act to open and cut a navigable Canal from the upper part of Barrett's town, so called, in the said County of Lincoln, beginning at the distance of twenty five miles above the head of the tide in George's river, so called,

Charles Barrett,  
Esq. em-  
powered to  
open a Canal.



in the County aforesaid, to communicate with the sea at the mouth of said river, and for the purposes aforesaid to take, use, occupy, possess and enjoy in fee simple, any land or water, necessary to compleat said Canal, from the head thereof to a place in said river below any obstructions to the navigation, he or they paying therefor, in manner hereafter prescribed. — *Provided nevertheless*, that the land so taken shall not exceed twenty five feet on each side of said Canal for necessary purposes.

Proviso.

*And whereas it may be necessary that the said Barrett, his heirs or assigns make use of, and appropriate the lands or other property of private persons;*

Preamble.

Persons authorized to settle all disputes respecting the value of Lands.

*Be it further enacted by the authority aforesaid;* that when the said Barrett his heirs or assigns, and the proprietors of any lands, waters, watercourses, mills, mill streams, mill dams or other estates for the purposes aforesaid, cannot agree upon the value thereof, nor upon some suitable person or persons to appraise the same, the Justices of the Supreme Judicial Court are hereby authorized and empowered at any sessions in the County of Hancock, upon application of either party, after due notice given, to appoint three disinterested freeholders within such County, whose appraisement upon oath, being returned into said Court, & by them accepted, shall be final between the parties, and vest the estate so appraised, in the said Barrett his heirs and assigns forever. *Provided nevertheless*, if either party shall be dissatisfied with the determination of the appraisers, appointed as aforesaid, and shall at the same sessions at which the report shall be made, or at the next session of the said Court in the same County, apply to the Court for a trial by Jury, the said Court shall have power to determine the same by a Jury, in the same manner that other causes are determined; And if the verdict of the Jury shall not give to the party applying a larger sum, or a more favorable decision, as the case may be, than the appraisers appointed as aforesaid, the Court shall award costs against the party applying; but if the last decision shall be more favorable to the party applying than the decision of the appraisers the Court shall award costs against the party not applying: In both cases the judgment shall be made up agreeably to the verdict, or report of the Committee, so far as it respects damage, with or without a deduction of the costs, as the case may require, & execution shall issue accord-

Proviso.

ingly; and the said Charles Barrett his heirs or assigns with their estates, shall be liable for the sums awarded, or recovered as aforesaid, in the same way and manner, as individuals in common cases are liable.

*And be it further enacted by the authority aforesaid* that the Justices of the Supreme Judicial Court, upon the application of the Selectmen of any town through which the said Canal shall pass, be, and they hereby are authorized and empowered to appoint three disinterested freeholders, who shall after hearing the parties determine what bridge or bridges shall be erected across said Canal, for the accommodation of the public, where the said Canal crosses any highways; and the said bridges shall be erected, in the same way and manner, and at the expence of the same parties who would by law have been obliged to erect the same: *Provided however* that all extra expenses which may be incurred in erecting and supporting such bridge or bridges, and which would not have been incurred if the said Canal had not been opened, shall be defrayed by the said Barrett, his heirs and assigns.

Justices of  
Supreme Judi-  
cial Court  
authorized in  
the case.

Proviso.

*And be it further enacted by the authority aforesaid* that a toll be, and hereby is granted for the sole benefit of the proprietor or proprietors of said Canal, in the manner, and according to the rates following, to wit, For every ton weight which shall be transported in boats or other vessels through the Locks and Canals, at the upper falls in said river, at the mouth of Senebec pond, so called, the sum of one shilling and six pence: — For every thousand feet of boards passing through the same Locks and Canals, the sum of one shilling and six pence: — For plank and square timber passing through the same Locks & Canals & for all other lumber floated on rafts or otherwise, through the same, in the same proportion, & according to the same rates above mentioned: — For every ton weight which shall be transported in boats or vessels through the Locks and Canals, by the lower falls in said George's river, near the head of the tide in said river, the sum of one shilling and six pence: — For every thousand feet of boards; and in the same proportion for plank and square timber, & every other species of lumber, whether transported on rafts or otherwise, passing through the last mentioned Locks and Canals, the sum of one shilling & six pence: — And every boat or other vessel, not loaded, passing through said Locks and Canals, at

Toll granted.

Rates of toll.

either of said places, shall pay at the rate of one shilling for every ton weight it is capable of conveying: And the said toll shall be paid at the time of entering said Locks and Canals.

Charles Barrett  
entitled to all  
the profits.

*And be it further Enacted by the authority aforesaid* that the said Charles Barrett shall receive said toll, and shall possess & enjoy the emoluments of said Canal, and the profits thereof, to him, his heirs and assigns, for the term of seventy years from the passing of this Act.

Interest in the  
Canal, deemed  
personal estate.

*And be it further Enacted by the authority aforesaid* that the whole interest, right or estate in the said Canal, shall be deemed and considered as personal estate, to all intents and purposes whatever.

Time when  
toll shall be  
demanded.

*And be it further Enacted by the authority aforesaid* that as soon as the said Charles Barrett, his heirs or assigns shall have compleated the Locks and Canals by either of said falls, he shall be entitled to demand the toll herein provided, according to the rates herein established, upon any property which shall be transported through the same. And the said Charles Barrett, his heirs or assigns, shall, for the aforesaid term of seventy years, have the exclusive right of making Locks and Canals upon the said river, within the bounds herein prescribed.

Proviso.

*Provided nevertheless*, if the said Charles Barrett, his heirs or assigns, shall not within six years from the passing of this act, complete the said Canal, so as that the same may be passed with rafts and boats; or if after the same shall be completed, and before the expiration of the term of seventy years, he or they shall suffer the Locks and Canals aforesaid to be out of repair, so as that the same shall not be passable as aforesaid, for the space of two years, then, and in either of those cases, this grant and act shall be void, and the said Barrett, his heirs or assigns, shall forfeit all his or their right to the benefits thereof.

*Approved March 9, 1793.*

## 1792. — Chapter 52.

[January Session, ch. 23.]

AN ACT FOR INCORPORATING JONATHAN DAVIS & OTHERS FOR THE PURPOSE OF BUILDING A BRIDGE ACROSS NEW MEADOW RIVER.

Preamble.

*Whereas application hath been made to this Court for permission to build a Bridge over New Meadow River*

*which runs between the town of Brunswick in the County of Cumberland, & the town of Bath in the County of Lincoln, at or near Brown's ferry, so called; and it appearing that a Bridge in said place will be of Publick Utility;*

*Be it therefore Enacted by the Senate & House of Representatives in General Court Assembled, & by the Authority of the same, That Jonathan Davis, Jonathan Davis junr. Francis Winter & John Peterson, esquires, John Clarke, & William Webb, together with their Associates & those who shall hereafter Associate with them, with their heirs & Assigns be, & hereby are constituted a Corporation & body Politic, for the purpose of erecting a Bridge over said New Meadow River, at or near said Brown's Ferry; and that for the purposes of reimbursing to said Jonathan Davis & others beforenamed, their Associates, their heirs & assigns the money to be expended in building & supporting said Bridge a toll be & hereby is granted & established for the sole benefit of the said Jonathan Davis & others before named, their Associates & their heirs & assigns for the space of fifty years according to the rates following, vizt. For each foot Passenger, or one person passing two pence — one person & horse four pence — single horse cart, sled or sley eight pence — sley drawn by two or more horses ten pence — single horse chaise, chair or sulkey eight pence — all other carriages drawn by two beasts ten pence — all other wheel carriages drawn by more than two beasts one shilling — neat cattle & horses passing said Bridge exclusive of those rode on, or in carriages or teams, each one penny one third — swine & sheep for each dozen, & at the same rate for a greater or less number six pence; & in all cases the same toll shall be paid for all carriages & vehicles passing the said Bridge whether the same be loaded or not loaded, & to each team one man & no more shall be allowed as a driver, to pass free from payment of toll; & the toll gatherer shall not be obliged at any time to open the gate or gates for any passenger or passengers, until he is paid the rate or toll of such passenger or passengers; & at all times when the toll gatherer shall not attend his duty, the gate or gates shall be left open, & no toll shall be taken; And the said Toll shall commence on the first day of the opening said Bridge for passengers, & shall continue fifty years.*

Persons Incorporated for building a Bridge.

Toll granted.

Rates of toll.



Method and  
materials for  
Building.

To be kept in  
repair.

Proviso.

Sign board to  
be erected.

*And be it further Enacted*, that the said Bridge shall be well built, at least twenty feet wide, of good & suitable materials & well covered with plank & timber on the top, suitable for such a Bridge, with sufficient rails on each side, for the safety of Passengers. And the Proprietors shall keep the said Bridge in good, safe, & passable repair for fifty years, and if the said Proprietors shall unreasonably refuse, or neglect to keep said Bridge in such safe & passable repair as aforesaid, on such refusal or neglect being made to appear to the Justices of the Court of General Sessions of the Peace for the County of Lincoln, it shall be in the power of the Justices aforesaid, to prohibit & forbid the Proprietors aforesaid from receiving any toll until the said Bridge, in their opinion, shall be put in safe & good repair — *Provided nevertheless*, that if the said Proprietors shall not within four years from the passing this Act erect & compleat the said Bridge then this Act shall be null & void.

*And be it further Enacted by the Authority aforesaid*, that at the place where the toll shall be received, there shall be erected & constantly exposed to open view a sign or board with the rates of toll fairly & legibly written thereon, in large or capital Letters.

*Approved March 9, 1793.*

## 1792. — Chapter 53.

[January Session, ch. 24.]

AN ACT FOR ALTERING THE TIME OF HOLDING THE COURT OF GENERAL SESSIONS OF THE PEACE AND COURT OF COMMON PLEAS NOW HOLDEN ON THE LAST TUESDAY OF SEPTEMBER ANNUALLY IN THE COUNTY OF ESSEX.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same*, that the Court of General Sessions of the peace and Court of Common Pleas which are now by Law to be holden at Newbury Port within and for the County of Essex on the last Tuesday of September annually, shall from and after the passing of this Act be holden at Newbury Port within and for the County of Essex on the first Tuesday of October annually, any law, usage or custom to the contrary notwithstanding.

*Approved March 12, 1793.*

Time altered  
for holding  
Court in Essex.



1792.—Chapter 54.

[January Session, ch. 25.]

AN ACT TO SET OFF ELEAZER ROBBINS AND OTHERS WITH THEIR FAMILIES AND ESTATES FROM THE TOWNS OF STOUGHTON AND SHARON, AND TO ANNEX THEM TO THE TOWN OF FOXBOROUGH.

*Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that Eleazer Robbins, Daniel Morse, Elisha Morse, Solomon Morse, Samuel Morse, Isaac Pratt, the heirs of Joseph Pratt, Widow Mary Patten, David Patten, Ralph Thompson, Caleb Atherton, Els Atherton, Abijah Pratt, and Seth Boyden be, and they hereby are set off from the town of Stoughton, and annexed to the town of Foxborough with their families and estates, to do duty and enjoy privileges in said town, to all intents and purposes. *Provided nevertheless,* that the said

Persons set off  
and annexed to  
Foxborough.

Proviso.

*And be it further enacted,* that Shadrack Winslow, and Daniel Wilbore with their families and estates, also the lands of Levi Pratt, Jesse Pratt, Benoni Pratt, Alexander Doby, and the heirs of Jonathan Wilbore now lying within the bounds of Sharon and Stoughton, be and hereby are set off from the town of Sharon & annexed to the town of Foxborough.

Others annexed  
to Foxborough.

*And be it further enacted by the authority aforesaid,* that the dividing line between the northeasterly part of the town of Foxborough, and the southeasterly part of the town of Sharon for the future shall be as follows, *viz.* beginning at the southeasterly corner of Deacon Benjamin Fairbanks's land, then running southeasterly to the southwesterly corner of Benjamin White's land, then turning easterly to the line between Captain Josiah Pratt's and Benjamin Hodge's land, hereby leaving all the lands to the said town of Sharon that did formerly belong to Joseph Hewins esqr. deceased. *Provided nevertheless,* that if any person now an inhabitant of that part of the

Dividing line.

town of Stoughton set off to the town of Foxborough shall become chargeable, said persons shall be supported by the town of Foxborough. *Approved March 12, 1793.*

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## 1792. — Chapter 55.

[January Session, ch. 26.]

AN ACT IN ADDITION TO AN ACT PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED & EIGHTY ONE FOR INCORPORATING THE SECOND PRECINCT IN THE TOWN OF LANCASTER INTO A TOWN BY THE NAME OF STERLING.

Preamble.

*Whereas disputes have arisen between the Towns of Lancaster and Sterling both in the County of Worcester respecting the support of such persons who removed from the Town of Lancaster before the said Town of Sterling was Incorporated and who have since or hereafter may become paupers and the said Towns have mutually agreed on an accommodation and have applied to this Court to have the same ratified by the Legislature.*

Persons to be supported by the town of Sterling.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same* that every person who had obtained a legal settlement as the Law prescribes in that part of the Town of Lancaster which is now Sterling and did remove from said Town of Lancaster before the Incorporating of said Town of Sterling & who has already or shall hereafter become chargeable for his or her support, shall be supported by the said Town of Sterling: *Provided always* that such poor persons shall not have gained a legal Inhabitaney in any other Town or place after having removed from that part of the said Town of Lancaster which is now Sterling, and so *Vice Versa* in the Town of Lancaster.

Proviso.

Preamble.

*And whereas it appears that the line between the said Towns of Lancaster and Sterling runs through the Farm of Ephraim Wilder and others: and as it is mutually agreed by the Inhabitants of the said Towns of Lancaster and Sterling that the following alteration of the line between said Towns of Lancaster and Sterling should be made:*

Dividing line established.

*Be it therefore enacted* that the line between said Towns shall be established as follows *Vizt.* — begining at a heap of Stones near an old stump at Leominster; thence East nineteen and one half degrees South, one hundred & sixty

Rods to a stake & stones, thence South six and one half degrees west four hundred and fifty five Rods to a Stake and Stones, thence South sixty three degrees east twenty eight rods to a stake and stones, thence South fifteen degrees West thirty two rods to a stake and stones, thence South seventy degrees East forty rods to a stake and stones, thence south twenty five degrees West One hundred and twenty two Rods to an Elm Tree, thence south seventy seven degrees east seventy three rods to a white Oak, thence south nineteen degrees West forty six Rods to a heap of Stones, thence due west fifty rods to a White Oak, thence South Sixty four degrees West one hundred and six rods to an Elm, thence South nine degrees east sixty four rods to a Walnut, thence South sixty one degrees east thirty four rods to a stake and stones, thence South eighteen degrees west, twenty four rods to a stump and stones, thence South twenty nine degrees east seventy nine rods to a stake and stones, thence South fifty one degrees west sixty two rods to a stake and stones, thence north forty degrees west fifty five rods to a large white oak, thence South seventy three degrees west one hundred and sixty six rods to a stake and stones, thence South two degrees west eighty six rods to a white oak, thence north sixty four degrees east one hundred & twenty two rods to a large oak, thence south thirty degrees east sixty two rods to a walnut, thence south seventy eight degrees east thirty four rods to a stake and stones, thence south sixteen degrees east thirty six rods to an Elm, thence south ten degrees west one hundred & ninety six rods to a Chesnut, thence south seven degrees west one hundred & twelve rods to a white pine, thence south eighty two degrees west fifty six rods to a white oak, thence south eleven degrees west four hundred & ninety rods to a white oak and stones at Boylston, allowing one and one half degree west variation in the Compass in all the angles.

*Approved March 12, 1793.*

## 1792. — Chapter 56.

[January Session, ch. 27.]

AN ACT FOR INCORPORATING A PART OF THE TOWNS OF LANESBOROUGH, WINDSOR, ADAMS, AND THE DISTRICT OF NEW ASHFORD IN THE COUNTY OF BERKSHIRE, INTO A TOWN BY THE NAME OF CHESHIRE.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of*

Boundaries.

*the same*, that the lands hereafter described, to wit, beginning on New-Ashford line, at the middle of the south line of Brown's Grant, at a stake and stones, thence south thirty one degrees west, three hundred & twenty rods, to a stake and stones, thence east sixteen degrees south, one hundred rods to a stake and stones, thence south thirty one degrees west one hundred and sixty rods, to a stake and stones, thence east sixteen degrees south one hundred rods to a stake and stones, thence south thirty one degrees west three hundred and twenty rods to a stake and stones, thence east sixteen degrees south four hundred rods to a stake and stones, thence south thirty one degrees west four hundred & eighty rods to a stake and stones, thence east sixteen degrees south two hundred rods to a stake and stones, thence south thirty one degrees east forty two and an half rods to a stake and stones, thence east sixteen degrees south four hundred rods to Windsor line to a birch tree marked with stones about it, thence north thirty one degrees east seven hundred and fourteen rods on Windsor line to a stake and stones, thence east sixteen degrees south nine hundred rods to a stake and stones, thence north eighteen degrees east six hundred rods to a stake & stones on the north line of Windsor, thence west sixteen degrees north on Windsor line one hundred and twenty rods to a stake and stones in the south line of Adams at the southeast corner thereof, thence north, thirty six degrees east three hundred & eighty rods to a stake and stones, thence north fourteen degrees west four hundred & forty rods to East Hoosuck old line at a stake and stones, thence west eight degrees north twelve hundred and ten rods to a stake and stones, thence west twenty six degrees north five hundred & twenty rods to Seth Jones's corner to a stake and stones, thence south nine degrees west three hundred & seventy three rods to a maple tree marked on the top of the Mountain, — thence south seventeen degrees west two hundred and ten rods to the first mentioned bounds, together with the inhabitants thereon, be and they are hereby incorporated into a town by the name of Cheshire vested with all the powers, privileges and immunities which other towns are intitled to enjoy by the Constitution and Laws of this Commonwealth.

Cheshire  
incorporated.Back taxes to  
be paid by the  
inhabitants of  
Cheshire.

*And be it further enacted by the authority aforesaid*, that the inhabitants living within the town of Cheshire shall pay all such arrearages of taxes as have been assessed



against them prior to this act; and that the Treasurers of the several towns shall have full power to enforce the collection of such taxes as if this act had never taken place.

*And be it further enacted by the authority aforesaid* that the town of Cheshire shall provide for the maintenance of all poor persons who may be hereafter returned to them in consequence of their having heretofore had a legal residence within the lines of said town.

Cheshire to maintain the poor.

*And be it further enacted by the authority aforesaid* that James Barker Esqr. be authorized to issue his Warrant to some principal inhabitant of said town of Cheshire to warn them to meet at some suitable place for the purpose of electing their town Officers, as the law directs.

James Barker, Esq. to issue warrant.

*And be it further enacted* that the Register of deeds for the north District in the County of Berkshire may hold his office in the said town of Cheshire untill the time provided by Law for a new choice of said Officer.

Register of Deeds to hold his office in Cheshire.

*Approved March 14, 1793.*

## 1792. — Chapter 57.

[January Session, ch. 29.]

AN ACT FOR DIVIDING THE TOWN OF SALISBURY IN THE COUNTY OF ESSEX INTO TWO PARISHES.

*Be it Enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* that the Town of Salisbury in the County of Essex, be and the same hereby is divided into two distinct Parishes, by the following dividing line *vizt.* begining at an oak stump being the remains of a tree formerly struck with lightning standing on a line between the land of Enoch, Joshua & Richard Titcomb on the one hand & of John Sawyer on the other & from thence running southerly by the Western border of said Titcomb's land to Merrimack River & northerly from said stump on a straight & direct course by Dole's corner so called & the School house there standing to Aaron Clough's land & to the line of the State of New Hampshire, so as to include said Clough his poll and estate in the east Parish & that all the lands in said Town with all the inhabitants thereon lying to the eastward of said dividing line including said Clough & his estate be and hereby are erected & incorporated into a separate parish by the name of the East Parish in Salisbury & that all the lands in said Town

Boundaries.



with the Inhabitants thereon lying to the westward of said line be and hereby are erected & incorporated into a separate Parish by the name of the West Parish in Salisbury and that each of said parishes be & hereby is vested with all the powers, priviledges & immunities & subject to all the duties which other parishes in the Commonwealth are or may be vested with & subject to.

Estates subject  
to parish taxes.

*And be it further enacted by the authority aforesaid,* that the lands & estate of any person who now is or may be an inhabitant of either of said parishes, in which ever of said parishes the same may lie or be, shall be, subject to be taxed to parochial charges in that parish only in which such owner lives or may live.

Proviso.

*Provided nevertheless, & be it further enacted by the authority aforesaid,* that any person who now is or hereafter may be an inhabitant of either of the parishes aforesaid, may join with & become a member of the other parish, & be liable with his poll & estate to be taxed therein & may return again & join the parish whereof he is an inhabitant & be liable with his polls and estate to be taxed again therein whenever he chooses so to do. And whenever any such person shall choose to join such parish whereof he is not an inhabitant, or return therefrom as aforesaid, he shall give notice in writing of such his intention to the Clerks of each parish on or before the first day of March then next, which notice shall be recorded in the parish books of record by said Clerks, from which said first day of March he shall be considered & taken to be a member of that parish to which he shall so declare his intention to join or return, & be liable with his estate to be taxed accordingly from year to year & untill he shall alter his intention and declare the same anew in manner aforesaid.

Inhabitants to  
notify their  
intention of  
becoming  
members of  
parishes.

Parsonage  
houses to con-  
tinue for the  
use of the  
Ministers.

*And be it further enacted by the authority aforesaid,* that the parsonage house and lands in said East parish shall be and continue for the use of the Minister of the east parish & his successors, & that the parsonage house & lands in the West parish shall be and continue to the use of the minister of the West Parish and his successors for ever; And that the Parsonage Salt marsh & lands lying at South Hampton & Grape Hill so called be jointly improved in equal shares by the ministers of both parishes as heretofore.

Proviso.

*Provided nevertheless & be it further enacted by the authority aforesaid,* that nothing in this act shall be con-

strued to annul or destroy any contract or contracts now subsisting between said town of Salisbury & any person or persons whatsoever, but that every such contract shall remain in as full force & all persons living in either parish shall be held to pay their proportions of any sum now due or that may become due from said town by force of any such contract or contracts as fully as if this Act had never been made; excepting only, that the contract made by the town with the minister of that part thereof which now constitutes the West Parish shall, so far as it relates to his future support be considered as devolving & binding upon the West Parish only & not upon the Town.

Persons in each parish held to pay back taxes.

*And be it further enacted by the authority aforesaid,* that Theophilus Bradbury Esqr. be and he hereby is authorized to issue a Warrant to some principal inhabitant of each of said parishes requiring & empowering them severally & respectively to notify & warn meetings of each of said parishes at suitable times and places therein respectively, for the choice of such Officers as may be chosen by parishes in the Month of March or April annually, & for the transaction of any other bussiness that may be legally transacted in parish meetings.

Theo. Bradbury, Esq. to issue warrant.

*Approved March 15, 1793.*

## 1792. — Chapter 58.

[January Session, ch. 28.]

AN ACT FOR PROVIDING HOSPITALS FOR INOCULATION, AND PREVENTING INFECTION FROM THE SMALL-POX, AND FOR REPEALING SEVERAL ACTS HERETOFORE MADE FOR THAT PURPOSE.

*Whereas the Laws heretofore made, with intent to prevent the spreading of infection from the Small-pox are insufficient, and other provision is necessary to be made:*

Preamble.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that an Act passed in the year of Our Lord One thousand seven hundred and seventy six, intituled “An Act empowering Justices of the Court of General Sessions of the Peace, in the several Counties to permit inoculating Hospitals to be erected in said Counties,” And also another Act, passed in the year of Our Lord, One thousand seven hundred and seventy seven, in addition to and amendment of the Act before mentioned,

Former Acts repealed.

And also an Act passed in the year of Our Lord one thousand seven hundred and seventy six, entitled “An Act to prevent the continuance of the Small-pox in the town of Boston, and to licence inoculation there, for a limited time,” Also one Act made in the year of Our Lord, one thousand seven hundred and ninety two, intituled “An Act providing for the establishment of Hospitals for inoculating with the Small-pox & for repealing all laws heretofore made for that purpose,” be, and hereby are repealed.

Towns to erect  
Hospitals by  
permission.

Proviso.

Proviso.

Inoculation for-  
bidden on pain  
of forfeiture.

*And be it further enacted by the authority aforesaid,* that it shall be lawful for the inhabitants of any town or district, at any meeting legally warned eight days before holding the same, to agree upon, erect, establish or appoint such Hospital or Hospitals for inoculation with the small pox within the same town, as shall be thought proper by the major part of the legal voters present at the same meeting: *Provided however,* that all such Hospitals shall be subject to such orders, regulations and restrictions as the Selectmen of the town or district, or a Committee of said town or district appointed for that purpose where such Hospital shall be, shall agree upon and establish for the safety of the people; and the inhabitants of the same town or district, at a legal meeting, shall have power to discontinue such Hospital whenever they shall think proper. *Provided however* that no such Hospital shall be erected within one hundred rods of any dwelling house inhabited, situated in any adjacent town, without the consent of such adjoining town in legal town meeting therefor, first had and obtained.

*And be it further enacted by the authority aforesaid,* that no person shall inoculate any other person or inoculate himself or herself, or suffer himself or herself to be inoculated with the Small pox unless at some Hospital licenced and authorized according to this Act, on pain that every person so offending shall for each offence forfeit a sum not exceeding forty pounds, to be recovered on indictment or presentment of the Grand Jury at the Supreme Judicial Court, or Court of General Sessions of the Peace within the same County in which such offence shall have been committed; the one half of which forfeiture shall be paid into the Treasury of the County, and the other half into the Treasury of the town in which such offence shall appear to have been done.

*And be it further enacted by the authority aforesaid,* that whenever any Hospital shall be so erected, established or appointed, the Physician, the persons inoculated, or sick there, the nurses, attendants, & all persons who shall approach or come within the limits of the same, and all such property as shall be used or brought there, shall be subject to all such orders & regulations as shall be made by the Selectmen, or a Committee appointed for that purpose, to prevent spreading the infection.

Persons concerned in Hospitals to be under regulations.

*And be it further enacted,* that when the Small-pox shall unexpectedly break out in any town or district, the Selectmen of the same, shall have power, and it shall be their duty immediately to provide such Hospital or place of reception for the sick and infected, as they shall judge best for their accommodation, and the safety of the inhabitants, and may give licence for inoculating there all such persons as shall be supposed to have taken infection; and such Hospitals & places of reception shall be subject to the orders and regulations of the Selectmen in the same manner as is herein before provided respecting licenced Hospitals; and the said Selectmen shall cause such sick and infected persons to be removed to such Hospitals or places of reception, unless the condition of the sick person should not admit of removal without danger of life, in which case the House or place where the sick shall remain, shall be considered as an Hospital to every purpose before mentioned, and all persons residing in, or in any way concerned with the same, shall be subject to the orders and regulations of the Selectmen of the town or district as before expressed and provided.

Hospitals to be provided, in case —

Selectmen to regulate them.

*And be it further enacted,* that in all the cases above-mentioned, it shall be the duty of the Selectmen to use all possible care to prevent the spreading of infection and to give public notice to travellers of infected places, by displaying red flags at proper distances, and by all other means which in their judgment shall be most effectual for the common safety; and in case any physician or other person within any of the Hospitals or places of reception above described, or who shall attend, approach, or be concerned with the same, shall violate or contravene any of the restrictions, orders or regulations of the same made according to this act, either in respect of himself, or his or any other person's property, the person so offending shall for each offence forfeit and pay a sum not exceeding

Selectmen to give notice, when any house is infected.



Penalty.

thirty pounds, nor less than four pounds, to be recovered and paid in the same manner as is in this act before provided in case of offences committed by inoculating, or being inoculated contrary to the form and effect of this act.

Householders to give notice of any person infected within their houses.

*And be it further enacted*, that whenever any Householder shall know, that any person within his or her family, is taken sick of the small pox, such householder shall immediately give notice thereof to the Selectmen of the town or district of which such householder shall be an inhabitant or resident, on pain that every householder, who shall refuse or neglect to give such notice shall forfeit and pay for such offence a sum not exceeding thirty pounds, nor less than ten pounds, to be recovered in the same manner as is before provided for recovering the forfeitures mentioned in this act, and to be appropriated and paid in the same manner.

*Approved March 15, 1793.*

Penalty.

## 1792. — Chapter 59.

[January Session, ch. 30.]

AN ACT FOR ERECTING AND MAINTAINING A BRIDGE OVER MILLER'S RIVER, SO CALLED, IN THE COUNTY OF HAMPSHIRE.

Preamble.

*Whereas a Bridge over said Miller's river is very necessary for the accommodation of travellers passing up and down in the great road crossing said river, near Connecticut river, and the same is not wholly in the bounds of any town who are obliged by law to maintain a Bridge over the same:*

Bridge to be erected & maintained —

*Be it therefore enacted by the Senate, and House of Representatives in General Court assembled and by the authority of the same*, that a sufficient Bridge for the accommodation of travellers, shall be erected over said Miller's river, at, or near the place where said road crosses said Miller's river, between the towns of Northfield and Montague, at the expence of said County; and the Justices of the Court of General Sessions of the Peace for said County of Hampshire are hereby authorized and directed to order such Bridge to be erected over said Miller's river, & the expence thereof shall be borne by, and assessed upon the inhabitants of the said County of Hampshire; and the same shall be assessed, collected, paid into, and ordered out of the County Treasury in the same way and manner, as other County charges are.



*And be it further enacted*, that a Bridge over said Miller's river at the place above mentioned shall hereafter be maintained repaired and supported in manner as is before directed, untill the Legislature of this Commonwealth shall otherwise order.

*And whereas a Bridge hath been already erected over said Millers river, near the place above mentioned at private expence, and the Justices of said Court may judge it expedient to purchase the same for the use of the public:*

Preamble.

*Be it further enacted by the authority aforesaid*, that said Justices of said Court of General Sessions of the Peace for said County, be, and hereby are authorized to purchase the same Bridge if they shall see fit for the use of the public, and the expence of said purchase shall be borne, assessed, collected paid in, and ordered out of the Treasury of said County in the same manner as is in this Act before provided for erecting a Bridge over said Miller's river.

Justices authorized to purchase bridge.

*Approved March 15, 1793.*

## 1792. — Chapter 60.

[January Session, ch. 31.]

AN ACT TO INCORPORATE THE PLANTATION OF BUCK-TOWN, OR NUMBER FIVE, IN THE COUNTY OF CUMBERLAND INTO A TOWN BY THE NAME OF BUCKFIELD.

*Be it enacted by the Senate & House of Representatives in General Court Assembled, & by the authority of the same*, that the following described Tract of Land, *vizt.*, beginning at the Northwest corner of Hebron & running South seventy degrees East, on the Northerly line of said Hebron five miles & about one hundred & ninety rods until it strikes the West line of Turner, — thence North twenty six degrees East, by said line five miles & about one hundred rods, until it meets the South East corner of number Six, or Buttersfield, — thence running South eighty one degrees West, eight miles & two hundred rods to the East line of Plantation number four, — thence by said line running South thirteen degrees East, to the first mentioned bound, together with the inhabitants thereon, be & they hereby are incorporated into a Town by the name of Buckfield: & the said Town is hereby invested with all the powers, privileges & immunities which other Towns in this Commonwealth, do, or may enjoy by Law.

Boundaries.

Buckfield incorporated.

*And be it further Enacted by the authority aforesaid, that William Wedgery esquire, be & he is hereby impowered & requested to issue his warrant directed to some suitable inhabitant of the said Buckfield, requiring him to warn the inhabitants thereof to meet at some convenient time & place to choose all such officers as Towns are by Law required to choose in the month of March, or April, annually.*

*Approved March 16, 1793.*

## 1792. — Chapter 61.

[January Session, ch. 32.]

AN ACT FOR ESTABLISHING AN ACADEMY IN THE TOWN OF PLYMOUTH BY THE NAME OF THE PLYMOUTH ACADEMY.

Preamble.

*Whereas a suitable number of Academies within this Commonwealth will be of common benefit, and it appears that Thomas Davis esqr. and others have subscribed a sum of money for the purpose of erecting and supporting an Academy in the town of Plymouth in the County of Plymouth; to effect which generous design more fully it is necessary to establish a body politic:*

Persons incorporated.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that Thomas Davis, George Watson, William Davis, Samuel Jackson, Barnabas Hedge, jun., Thomas Jackson, William Crombie, Joshua Thomas, Isaac Lothrop, James Thacher, Samuel Jackson Jun., John Davis, Samuel Davis, Nathaniel Goodwin, Josiah Cotton, Andrew Crosswell, Thomas Withrell, John Bishop, Thomas Nicolson, Joseph Thomas, Thomas Jackson jun., Rosseter Cotton, William Goodwin, William Hall Jackson, Robert Brown, Abraham Hammatt, William Jackson, Sylvanus Bartlett, Nathaniel Lewis, Joseph Crosswell, Isaac Le Barron, Isaac Harlow, Daniel Diman, Nathaniel Spooner & James Prince with all others who shall become benefactors to the Academy by this Act instituted, by any gift or donation which shall be accepted by the Trustees for the time being, & also the Preceptor of said Academy by virtue of his office, are, & shall be hereby established & made a body politic & corporate by the name of the Trustees of the Plimouth Academy; and they & the Survivors of them & their Successors to be appointed as hereinafter is provided, shall be & continue a body politic & corporate by the same name forever, &*

Name of the Corporation.

by that name the said Corporation may sue & shall be liable to be sued, & shall have power by their officers, agents or attornies, to prosecute & defend in all actions real, personal & mixed, until final judgment, execution & satisfaction : — And the said Corporation shall have & use a common seal, which they may break, alter, & renew at their pleasure ; *Provided*, that when any person shall decline to serve as a Trustee & such resignation shall be recorded by the said Corporation, his place shall be deemed vacant.

— empowered.

Common Seal.

Proviso.

*And be it further Enacted, by the authority aforesaid*, that the Trustees of said Academy in their said capacity are, & shall be capable in Law to take & receive by gift, grant, bargain, devise or otherwise, lands, tenements or other estate real & personal, & whereof the annual income shall not exceed the sum of three thousand Dollars in Silver, to have & to hold the same for the sole trust & purpose of supporting an Academy in said town of Plimouth, for the promotion of Piety, Religion & Morality & for the Education of Youth in the liberal arts & sciences & all other useful learning, according to the requisition of any gift or bequest which shall be made to the said Corporation, or as the Trustees for the time being shall & may direct & ordain ; And the said Corporation shall have full power & authority to lease & manage their lands, tenements & all other estate, & to bargain, sell & dispose thereof, where they shall not be restrained by the terms of any gift or devise : *Provided*, that for the sale of any real estate the property of said Corporation, the concurrence of two thirds of all the Trustees for the time being, shall be requisite : And all Deeds or Contracts sealed with the common seal of the said Corporation & signed by any officer thereof, or any Trustee pursuant to their order, shall be valid & effectual in Law to all intents.

Trustees empowered to hold estates,

and make appropriations.

Proviso.

*And be it further Enacted by the authority aforesaid*, that the said Corporation shall have power by standing rules or otherwise, to determine the times & places of meeting, the manner of notifying the Trustees & the methods of proceeding thereat ; also to elect such officers of the said Corporation as they shall judge necessary, & to appoint & provide a Preceptor of the said Academy with all needful assistants, & to determine the powers, duties & salaries of their respective officers ; — to ascertain the qualifications & terms of admission of all Stu-

Corporation to appoint meetings, elect officers, &c.

dents which shall be received at the said Academy, & to make & ordain all other reasonable rules, orders & by-laws with Penalties or without, & not repugnant to the Laws of this Commonwealth, as well for the good government of the said Corporation, as for the better regulation of the said Academy, & all such rules orders & by-laws to alter or repeal.

Trustees  
authorized to  
fill vacancies.

*And be it further enacted by the authority aforesaid,* that whenever the number of the Trustees of the said Academy shall be less than fifteen, the Trustees for the time being shall have power, & it shall be their duty to nominate, elect & appoint other suitable persons as Trustees, until that number shall be complete.

Corporation to  
be subject to  
examination by  
the Legislature.

*And be it further Enacted by the authority aforesaid,* that the Legislature of this Commonwealth may from time to time, when & in such manner as shall be thought fit, enquire into the doings of the said corporation & their performance of the Trusts aforesaid; & upon any breach thereof or other sufficient cause to the said Legislature upon due notice to the said Corporation & a full hearing thereupon, sufficiently appearing, may annul the grant & authorities hereby made, or such part thereof as the said Legislature shall thereupon determine: *Provided*, that all & singular the estates of the said Corporation shall thereupon revert to the Donors thereof, or according to any limitation in any grant or donation made.

Proviso.

Ephraim  
Spooner Esq. to  
issue warrant.

*And be it further Enacted*, that Ephraim Spooner Esqr. be & hereby is authorized to fix the time & place for holding the first meeting of the Trustees & to notify them thereof.

*Approved March 19, 1793.*

## 1792. — Chapter 62.

[January Session, ch. 33.]

AN ACT TO PREVENT THE DESTRUCTION OF THE FISH CALLED ALEWIVES IN TAUNTON GREAT RIVER SO CALLED IN THE COUNTY OF BRISTOL AND ALSO TO REGULATE THE CATCHING THE SAID FISH THEREIN FOR THE FUTURE.

Preamble.

*Whereas the Law made for regulating the Alewife fishery in Taunton Great River (so called) in the County of Bristol is found to operate unequally upon and to the disadvantage of the several Towns situated on said River and has not answered the salutary purpose of preserving and increasing the said Fish as intended; —*



*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that from and after the twentieth day of March instant, it shall not be lawful for any person or persons whatever, at any time after the said twentieth day of March instant as aforesaid (except as is herein after provided) to catch Alewives, or any other Fish with Seins or Drag nets in said River: *Provided* that it shall and may be lawful for the inhabitants of the several Towns situated on said River, to catch Alewives and other fish within the bounds of their own Town and no where else, with Seins or Drag nets, part of four days in each week only, *vizt.* on monday, tuesday, wednesday and thursday, from Sun rising till Sun setting on each of said days in each week: *And provided* each Town situated on said River as aforesaid, draw or sweep with two Seins or Drag nets only, except the Town of Taunton, which Town is hereby allowed and permitted to draw or sweep with three seins or Drag nets in said River on the days, & within the time mentioned as aforesaid, and neither of the Towns aforesaid nor the Inhabitants thereof are permitted at any time whatever to set their seins or drag nets across said River or any part thereof or make use of any Sein or Drag net which is or shall at the time be more than twenty rods in length: *Provided also*, that each of said Towns shall at a legal Town meeting ascertain and establish annually by Vote, the places where the said Seins or Drag nets may be drawn within the bounds of their respective Towns as aforesaid exclusively and at the same meeting, or at an adjournment thereof, dispose of and grant for that year, and so on from year to year, the sole privilege of catching Alewives or other fish with Seins or Drag nets on the parts of the days of the week abovementioned and specified, at the places ascertained and established as aforesaid, to such person or persons as shall offer or give most for the same, and give sufficient security for the payment of the same so offered and agreed on at such time and in such manner as the inhabitants of the respective Towns shall assign and order, said person or persons so agreeing and giving security as aforesaid to have right to fish and no other person whatever.

No fish to be taken but at particular seasons.

Proviso.

Towns authorized to sell the privilege of catching fish.

*Be it further enacted*, that if any person or persons shall presume to draw any Sein or Drag net, on any day or time, except the parts of days beforementioned;



Penalty for taking fish contrary to the Act.

How recovered.

Seins and nets made seizable on breach of this Act.

Persons to be appointed to carry it into effect.

Former Act repealed.

Proviso.

or at any place other than the one ascertained and established by the Town as aforesaid, or shall on any day, or at any place, set a Sein or Drag net in or across said River or any part thereof he shall forfeit and pay Fifteen Pounds for each and every such offence with costs of suit; one half thereof to the use of the poor of the Town where the offence shall be committed, and the other half thereof to him or them who shall sue for the same, to be recovered by action of debt in any Court proper to try the same.

*And be it further enacted*, that if any person or persons shall be found sweeping with any Sein or Drag net; or if any Sein or Drag net shall be made use of by any person or persons whatever contrary to the true intent and meaning of this act, or any part thereof, it shall and may be lawful for any person or persons to seize and take such Sein or Drag net to his or their own use and benefit, and if prosecuted therefor, to plead the general issue, and give this act in evidence as tho' the same was especially pleaded.

*And Be it further Enacted by the authority aforesaid*, that the several Towns on Taunton Great River aforesaid shall at their annual meetings in the month of March, or April in each year, choose three or more persons, being freeholders in their respective Towns, to see that this act be duly observed; and each person so choosen shall be sworn faithfully to discharge the duties herein required, and if any person so chosen shall refuse to serve he shall forfeit and pay, to and for the use of the poor of the Town to which he belongs the sum of *Twenty shillings*, to be sued for and recovered by the Town Clerk, and the said Town shall immediately proceed to a new choice.

*And Be it further enacted*, that an act made and passed the twenty second day of February in the Year of our Lord one thousand seven hundred & ninety, entitled "An Act to prevent the destruction of the Fish called Alewives in Taunton Great River (so called) in the County of Bristol, and to regulate the catching said Fish therein for the future" be and it is hereby repealed, (excepting the repealing clause thereof). *Provided* that all Acts and things done and performed already by virtue of said act, are hereby and shall be considered good and valid as tho' this present Law had never been made; and all sales of privilege and ascertaining of places for catching Alewives

and other Fish for the present year shall be considered good and valid as tho' done under and [and] by virtue of this present act.

*And be it further enacted by the Authority aforesaid,* that the purchasers of the privileges aforesaid shall sell said Fish to any person or persons who shall apply therefor when they have any on hand, at the rate of two shillings per hundred for the first three weeks after fish begin to run & at the rate of one shilling & six pence per hundred afterwards and no more, upon the penalty of forfeiting Twenty shillings for every hundred of said Fish they shall sell over & above said prices, to be recovered by action of debt in any Court proper to try the same. *Provided* this Act shall not operate so as to establish any price at which said fish shall be sold by the purchasers of the privileges in said Towns the present year.

Rates for  
selling fish.

Proviso.

*Approved March 19, 1793.*

## 1792. — Chapter 63.

[January Session, ch. 34.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER IN THE COUNTY OF ESSEX AT BODWELL'S FALLS BETWEEN ANDOVER AND METHUEN, AND FOR SUPPORTING THE SAME.

*Whereas the erecting a Bridge over Merrimack River, between the towns of Andover and Methuen in the County of Essex will be of public convenience; And whereas Samuel Abbot esqr. and others have presented a petition to this Court setting forth that they, with divers other persons have associated for the purpose of building said Bridge, and praying for liberty to build the same and to be incorporated for that purpose;*

Preamble.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that Saml. Abbot & John White esquires, Joseph Stevens merchant, and Ebenezer Poor yeoman, with such other persons as have with them associated as aforesaid, and all those who may hereafter become proprietors in the said bridge be, and they hereby are made and constituted a corporation and body politic for the purpose aforesaid, by the name of the Proprietors of Andover Bridge, and by that name may sue and be sued to final Judgment and execution, and do and suffer all

Proprietors of  
Andover Bridge  
incorporated.

Common Seal.

matters, acts and things which bodies politic may, or ought to do or suffer; and the said corporation shall and may have and use a common seal, and the same may break and alter at pleasure.

Proprietors  
empowered to  
call meetings,

*And be it further enacted by the authority aforesaid,* that the said Samuel Abbot, John White and Joseph Stevens, or any two of them, may by advertisement in the Independent Chronicle or Essex Journal, warn or call a meeting of the said proprietors to be holden at any suitable time and place, after five days from the first publication of the said advertisement: And the proprietors by a vote of the majority of those present, or represented at the said meeting, accounting and allowing one vote to each single share in all cases, *provided* that no one proprietor shall be allowed more than ten votes, shall choose a Clerk, who shall be sworn to the faithful discharge of his said office, and shall also agree on a method for calling future meetings; and at the same, or any subsequent meeting may elect such Officers, and make and establish such rules and bye laws as to them shall seem necessary or convenient for the regulation of said corporation for carrying into effect the purpose aforesaid, and for collecting the toll hereinafter granted & established; and the same rules and bye laws may cause to be executed, and may annex penalties to the breach thereof not exceeding forty shillings: *Provided* the said rules and bye laws are not repugnant to the Constitution or Laws of this Commonwealth. And all representations at any meetings of the said Corporation shall be proved by writing, signed by the person to be represented, which shall be filed with the Clerk. And this Act, and all rules, bye laws, regulations and proceedings of the said Corporation, shall be fairly and truly recorded by the Clerk in a book or books to be provided and kept for that purpose.

elect officers,  
and establish  
rules, &c.

Proviso.

Permitted to  
build a bridge.

*And be it further enacted by the authority aforesaid* that the said proprietors be, and they are hereby permitted and allowed to erect a bridge over Merrimack river from Andover aforesaid to Methuen aforesaid at said Bodwell's falls.

Shares  
transferable.

*And be it further Enacted by the authority aforesaid,* that the share or shares of any proprietor in said Bridge, may be transfered by deed, acknowledged and recorded by the Clerk of said Proprietors, in a book to be kept for that purpose: And when any share or shares in said

Bridge, shall be attached as the property of any of the said proprietors on mesne process, an attested copy of said process shall be left with the Clerk of the said proprietors, at the time of such attachment, otherwise the same shall be void.

*And be it further enacted by the authority aforesaid,* that for the purpose of reimbursing the said proprietors the money by them to be expended in building and supporting the said Bridge, a toll be and hereby is granted and established for the sole use and benefit of the said proprietors according to the rates following *viz.* For each foot passenger two thirds of a penny; for each horse and rider two pence; for each horse and chaise, chair or sulkey six pence; for each riding sleigh drawn by more than one horse six pence; for each coach, chariot, phaeton or other four wheeled carriage for passengers, one shilling; for each curricule eight pence; for each cart, sled, sleigh or other carriage of burthen drawn by one beast four pence; for each waggon, cart, sled, sleigh or other carriage of burthen drawn by two beasts six pence; for each waggon, cart or other carriage of burthen drawn by three beasts or more, nine pence; for each horse or neat cattle, exclusive of those rode, or in carriages, one penny each; for sheep and Swine at the rate of four pence for each dozen; & to each team one person, and no more shall be allowed as a driver to pass free of toll; and at all times, when the toll gatherer shall not attend his duty, the gate or gates shall be left open; and the said toll shall commence on the day of the first opening of the said Bridge for passengers, and shall continue to said proprietors, and their heirs and assigns for the term of fifty years, then to be delivered up to the Commonwealth in good repair, and said Bridge shall be kept in good, safe and passable repair during the whole of said term; and also at the place where the toll shall be received there shall be erected and constantly exposed to open view a sign or board with the rates of toll of all the tollable articles, fairly and legibly written thereon in large or capital letters.

A toll established.

Rates.

The commencement and continuation of toll.

Bridge to be kept in good repair.

Sign-board to be erected.

*And be it further enacted by the authority aforesaid,* that the said Bridge be built with suitable materials at least twenty eight feet wide and well covered with plank, with sufficient rails on each side & boarded up sixteen inches high from the floor of said bridge; and that there

Method, dimensions and materials of bridge.



be an arch or arches sufficiently wide for the passage of rafts, the widest of which arches shall be laid over the channel of the river, and shall be one hundred and ten feet wide, at least;

*And be it further enacted by the authority aforesaid,* that the Judges of the Court of Common pleas for the County of Essex, shall on application made therefor, after due notice to all concerned, enquire and determine whether any compensation ought to be made to John Marston who has exhibited a claim to a Ferry, which is one mile, and three quarters of a mile below said Bodwell's falls; and if they shall judge that the said Marston is intitled to any compensation, they shall determine what sum is due on the claim aforesaid; and the proprietors aforesaid shall pay the same to the said Marston, within the term of one year after the said Bridge shall be opened for passengers.

Proprietors to  
open roads.

*And be it further enacted by the authority aforesaid,* that the proprietors aforesaid at their own expence shall provide and open roads from said Bridge to roads which are already laid open, & well prepared, leading from said Bridge to the towns of Salem and Boston.

Act to be void  
in case of  
neglect.

*And be it further enacted by the authority aforesaid,* that if the said proprietors shall neglect for the space of three years from the passing this Act to build said Bridge, then this Act shall be void and of none effect.

*Approved March 19, 1793.*

## 1792. — Chapter 64.

[January Session, ch. 35.]

AN ACT TO ANNEX A CERTAIN GORE OF LAND LYING ON EACH SIDE OF NORTH RIVER, SO CALLED, BETWEEN THE TOWNS OF SHELBURNE & CHARLEMONT IN THE COUNTY OF HAMPSHIRE, TO THE SAID TOWNS OF SHELBURNE & CHARLEMONT.

Tracts of land  
to be annexed  
to Charlemont  
and Shelburne.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that from and after passing this act all that tract of land lying between the Town of Charlemont in the County of Hampshire & North River, so called, not before incorporated to the middle thereof with the inhabitants thereon shall be annexed to the Town of Charlemont, and all that tract of land lying between the Town of Shelburne & the said River not before incorporated unto the middle thereof with the Inhabitants thereon shall



be annexed to the Town of Shelburne, there to be taxed, do duty and receive priviledges as other Inhabitants and lands belonging to said Towns of Shelburne and Charlemont —

*And be it further enacted by the authority aforesaid* that the Towns of Shelburne & Charlemont aforesaid shall from and after the passing this Act, build & forever after maintain a Bridge across the River aforesaid, in equal Shares. *provided nevertheless,*

Towns to build  
& maintain a  
bridge.

Proviso.

*And be it further enacted by the authority aforesaid,* that for the encouragement of the aforesaid Towns building & maintaining said Bridge, there shall be allowed & paid out of the Treasury of the County of Hampshire, the Sum of Forty Pounds to the Towns of Charlemont & Shelburne aforesaid in equal shares.

*And be it further enacted by the Authority aforesaid,* that the Justices of the Court of General Sessions of the Peace for the County of Hampshire, are hereby authorized and empowered to assess the aforesaid sum of Forty Pounds, on the Inhabitants of the County aforesaid, in the same way and manner as they are authorized by law to assess other County Taxes.

Justices  
authorized to  
assess cost.

*And be it further enacted,* that there be allowed and paid out of the Treasury of this Commonwealth the sum of Twenty three Pounds thirteen shillings & two pence, it being the principal with the Interest for which said Gore of land was sold by this Commonwealth and that his Excellency the Governor with the advice of Council, be and he hereby is requested to issue his Warrant on the Treasury, for the sum of Twenty three Pounds thirteen shillings & two pence, for the purposes aforesaid, to be paid to the Treasurers of the respective Towns of Shelburne & Charlemont in equal proportions.

Warrant to  
issue on the  
Treasury.

*Approved March 19, 1793.*

## 1792. — Chapter 65.

[January Session, ch. 36.]

AN ACT IMPOWERING JOHN LANGDON TO ERECT A BRIDGE OVER PART OF THE RIVER PISCATAQUA, IN THE COUNTY OF YORK.

*Whereas a Bridge from the main shore in Kittery to the Island called Langdon's Island in Kittery will be of public utility —*

*Be it enacted by the Senate and House of Representa-*

John Langdon  
authorized to  
build a bridge.

Proviso.

Toll granted.

Proviso.

*tives in General Court assembled, & by the authority of the same, That John Langdon of Portsmouth in the County of Rockingham, & State of New Hampshire Esqr. be and he hereby is empowered and authorized to erect a Bridge over the part of Piscataquay River, which lies between the main shore of Kittery and the Island in said River, called Piscataqua River, commonly called Langdon's Island, and that the fee of the said Bridge shall be in the said Langdon his heirs and assigns forever, on condition that the same be kept in good repair, provided that after the expiration of Fifty years the Commonwealth shall have the authority to regulate the toll thereof.*

*And be it further enacted, that there be granted and allowed unto the said John Langdon, his heirs and assigns, the following Tolls, vizt., for every single person one cent; for every single horse & rider three cents; for each carriage drawn by one Horse ten cents; for each four wheel Carriage drawn by two Horses thirteen cents; for each Cart, Sled or Sleigh drawn by one beast eight Cents; for each waggon, cart, sled or sleigh drawn by more than one beast thirteen cents; for Sheep and Swine six cents per dozen; for neat cattle one Cent each.*

*Provided the said John Langdon shall give and grant unto Alexander Rice of said Kittery Innholder, & to his heirs & assigns forever, the exclusive right & privilege to keep a ferry from the same Island to Portsmouth, in the same way and manner as he now improves the said ferry from his store in Kittery, and shall build and maintain for the said Rice a Wharf and [&] Ferry way at the upper part of the said Island in the most convenient place for a ferry to be kept; and shall grant the said Rice his heirs and assigns as aforesaid a lot of land sixty feet square adjoining said Wharf or Ferryways, sufficient to build a house to accommodate the ferryman & passengers from the inclemency of the weather, which privilege of the ferry, wharf way & lot for a house as aforesaid shall be & remain to the said Rice his heirs and assigns forever, on account of the loss they sustain by building the Bridge aforesaid & if the said Alexander cannot agree with the said John by arbitration or otherwise, respecting a full compensation for the loss aforesaid, it shall be in the power of the Court of Common Pleas in & for said County of York, upon application of said Alexander, after due notice to said John, to adjudge & determine what further damages shall*

be paid him the said Alexander by the said John therefor : *Provided also*, that if the said John Langdon his heirs and assigns as aforesaid shall unnecessarily neglect to keep said Bridge in good repair his or their right title & Interest in the same Bridge, and all immunities & privileges granted by this Act shall cease and determine, and all the privileges of said Bridge shall revert to the Commonwealth.

*And be it further enacted by the authority aforesaid*, that the said Alexander Rice and all persons actually employed by him his heirs and assigns forever (for the purpose of keeping & attending the ferry as aforesaid) shall have liberty to pass & repass the said Bridge toll free.

Certain persons may pass toll free.

*And be it further enacted* that the said ferry and rates of Ferrage shall be regulated by the Court of General Sessions of the Peace for the County of York.

Ferry to be regulated by the Court of Sessions.

*And be it further enacted* that the said John Langdon shall be allowed the space of three Years and no longer to erect said Bridge, and that if the same shall not be erected within that space of time from the passing this Act then this Act shall be void.

Act to be void in case.

*And be it further enacted* that at the place where the toll shall be received, there shall be erected by the said John Langdon and exposed to open view constantly, a board or sign with the rates of toll and of all the tolleable articles, fairly & legibly written thereon, in large or capital letters, and at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open.

Sign-board to be erected.

*Approved March 22, 1793.*

## 1792. — Chapter 66.

[January Session, ch. 37.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE TOWNS OF ROCHESTER & MIDDLEBOROUGH IN THE COUNTY OF PLYMOUTH AND OF FREETOWN IN THE COUNTY OF BRISTOL, INTO A SEPARATE PRECINCT BY THE NAME OF THE CONGREGATIONAL PRECINCT IN ROCHESTER, MIDDLEBOROUGH AND FREETOWN.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that the Inhabitants of the third Parish in Rochester and sundry Inhabitants of the first precinct in Rochester,

Boundaries.

of the first and second precinct in Middleborough and of the Town of Freetown being all those who are or shall be comprehended within the following limits, To wit, begining in the Town line between New Bedford and Rochester, betwixt the Houses of Thomas Allen and Barnabas Hammatt, thence running in the Highway as it now runs to Jonathan Bates's dwelling house, thence on a straight line to Samuel Rider's dwelling house, thence on a straight line to Seth Briggs's dwelling house, thence east from said Briggs's dwelling house, to Wareham line, thence northerly in Wareham line untill it comes to Carver line, thence still northerly in the line of Carver untill it extends so far north as that a due west line will strike the northern line of Nehemiah Bennett's homestead; thence from the line of Carver in said due west course, untill it comes to the north east corner of said Bennett's homestead, thence in the line of said Bennett's land to the northwest corner thereof at Pockyshire Pond, thence on a straight line across Assawampset pond in such a course as to strike the dividing line between the lands of Nathaniel Foster and Ebenezer Briggs, thence to follow the said line between the said Foster's and Brigg's land untill it comes to the long Pond, thence southerly up the said long pond in such a course as to strike the line between the thirty five acre lots in Pocasset purchase (so called) and the Bolton Cedar swamp lots in said purchase, thence southerly in the line between said lotts to the line of New Bedford, thence in said New Bedford line to the first mentioned bound, with their families and estates be and they hereby are incorporated into a separate Precinct by the name of the Congregational Precinct in Rochester, Middleborough and Freetown, with all the powers, priviledges, immunities, duties and obligations which other Precincts in this Commonwealth are intitled or subjected to by Law.

Congregational  
Precinct in  
Rochester, etc.  
incorporated.

*And be it further enacted by the authority aforesaid,* that for the accommodation of any person or persons who may by their situation upon the lines aforesaid be exposed to a division of their homestead estate and to taxation therefor in different precincts, in all such cases, the whole of the homestead estate of such persons respectively shall be considered as belonging to the precinct which may include the dwelling house and polls of such persons : *Pro-*

Proviso.

*vided however* that the aforesaid Jonathan Bates and his homestead estate shall be considered as belonging to the said new precinct by this act incorporated, and the aforesaid Seth Briggs & Samuel Rider and their homesteads shall be considered as belonging to the first precinct in Rochester.

*And be it further enacted by the authority aforesaid,* that any persons heretofore belonging to the first precinct in Middleborough who shall now fall within the lines of the congregational precinct by this act established, and who shall be desirous still to belong to the said first precinct in Middleborough, shall upon certifying such their desire in writing to the Clerk of said Congregational precinct, at any time within three months after the passing of this act be considered as belonging with their homestead estates to the said first precinct in Middleborough.

Persons desirous may continue to belong to first precinct.

*And whereas the third Parish in Rochester is by this Act discontinued, & it is necessary that some provision should be made respecting the parochial concerns of said parish.*

Preamble.

*Be it enacted by the authority aforesaid* that for the management and settlement of said parochial concerns, the said third parish in Rochester shall have existence and continuance for one year next following the date of this act; and any meetings of said parish duly warned and held and any proceedings therein or thereupon respecting the debts credits assessments or other pecuniary concerns of said parish shall be valid and effectual in the same manner as if this act had not been passed.

Third parish in Rochester to continue one year longer.

*And be it further enacted by the authority aforesaid,* that Nathaniel Morton Esqr. be and he hereby is authorized to issue his Warrant, directed to some principal Inhabitant within the said new Congregational precinct in Rochester, Middleborough and Freetown, requiring him to warn the Inhabitants of said precinct qualified by Law to vote in precinct meetings, to assemble at some suitable time and place in said precinct, to choose such officers as precincts are by Law empowered to choose in the Month of March or April annually, and to transact all matters and things necessary and lawful to be done in the said precinct.

Nath. Morton, Esq. to issue warrant.

*Approved March 22, 1793.*



## 1792. — Chapter 67.

[January Session, ch. 38.]

AN ACT IN ADDITION TO AN ACT, INTITLED “AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF OPENING A CANAL FROM THE HEAD OF NEW MEADOW RIVER TO MERRY MEETING BAY.”

Preamble.

*Whereas the proprietors mentioned in the Act to which this is an addition have at considerable expence opened a Canal from New Meadow river to the waters of the river Kenebeck a little below Merry meeting Bay, at a place called Welch's creek, it having been found impracticable to open a Canal directly to the Bay aforesaid, by reason of rocks and other obstructions;*

*And whereas it is represented to this Court, that a Canal from New Meadow river to Kenebeck river at said Welch's Creek will accommodate the public:*

Proprietors  
authorized.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that the proprietors mentioned in the Act to which this is an addition, and their associates be, and hereby are authorized, and impowered to open and keep open a Canal from the head of New Meadow river to Kenebeck river, at the place called Welch's creek, a little below Merry meeting Bay; and the said proprietors shall possess and enjoy all the rights and privileges under the same limitations and restrictions made and provided in the Act to which this is an addition, the particular course of the said Canal therein discribed notwithstanding.*

*Approved March 22, 1793.*

## 1792. — Chapter 68.

[January Session, ch. 39.]

AN ACT TO INCORPORATE CERTAIN PERSONS TO MANAGE THE FUNDS OF THE FIRST CONGREGATIONAL SOCIETY IN TAUNTON IN THE COUNTY OF BRISTOL.

Preamble.

*Whereas the first Congregational Society in the town of Taunton have petitioned the Legislature for an act of incorporation, therein appointing & authorizing certain persons as Trustees to sell the real estate belonging to said Society, & the net proceeds thereof, with the other monies of said Society to fund for the purposes of supporting a Congregational Teacher of Piety, Religion & Morality:*

*Be it enacted, by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* that James Williams, Samuel Fales & Samuel Leonard Esqrs. Messrs. Ebenezer Dean, Job Godfrey, Joseph Dean & Jonathan Ingley junr. be & they hereby are appointed & authorized Trustees of said Society, to receive, take & hold in Trust for said Society, & to manage for the purpose of supporting a public Congregational Teacher of Piety, Religion & Morality in said Society, until other Trustees shall be appointed in their stead, all & singular the grants, donations & estates, whether real or personal, to which the said Society is, or shall be entitled, during the continuance in office of the said Trustees.

Trustees appointed and authorized.

*And be it further Enacted by the authority aforesaid,* that it shall & may be lawful for said Society, at any time after the passing this Act, if they see cause, by their Trustees or otherwise, to make sale of all or part of any lands holden by said Society as Parsonage lands, & the net proceeds thereof to vest in the hands of said Trustees, to fund & manage for said Society, as in this act is hereafter provided & directed.

Society empowered to sell lands.

*And whereas said Society have contemplated the building a new Meeting House by the sale of Pews therein when built,*

Preamble.

*Be it further enacted by the authority aforesaid,* that the surplus of money more than sufficient for building & finishing the said Meeting House, if any there be, arising from the sale of the Pews aforesaid, shall be lodged in the hands of said Trustees, in trust for said Society for the purpose of maintaining such Teacher, & if it shall appear that the funds of said Society, together with the rents & profits of any estate real or personal holden by said Society in their corporate capacity, produce an income more than sufficient to maintain said Teacher & for defraying other incidental charges arising within said Corporation, then such surplus shall be appropriated to the use & benefit, & for the purpose of maintaining a free School in said Society, *provided* the income of all such estates of every kind, shall at no time exceed the annual income of Six hundred Pounds.

Monies to be committed to the care of Trustees.

How appropriated.

Proviso.

*And be it further Enacted by the authority aforesaid,* that said Society shall annually in the month of March or April at a legal meeting of said Society to be holden

Trustees to be appointed annually.

within the same, appoint & authorize seven meet persons belonging to said Society as Trustees, who being duly sworn before a Justice of the Peace to the faithful discharge of their Trust, according to their best ability, shall be the Trustees of said Society & Successors of the Trustees herein before appointed, & shall have authority & shall require, receive, take, hold & manage for said Society in trust, & for the purposes aforesaid, all and singular the said Monies, donations, purchases & all other the Estate both real & personal of the said Society. And the said Trustees as well those herein appointed, as those who shall be appointed & authorized in manner aforesaid shall have power to let to interest, upon public or private credit, as to them shall seem best, & from time to time, to call in, demand, & recover any monies belonging or which shall belong to said Society as aforesaid; & also to let to farm, & otherwise in their discretion to improve & manage all other the Estate of said Society, whether real or personal, which shall be by said Trustees received as aforesaid, & shall be allowed all reasonable disbursements, expences & losses which shall & may unavoidably or reasonably happen & arise in due execution & performance of their said Trust: And the said Trustees shall at the annual meeting aforesaid lay before said Society a full statement in writing of all & singular the monies, effects, credits & estate of the said Society in the hands of said Trustees, & of all disbursements, expences & losses which shall have happened or arisen in the execution of their said Trust: And no sale of any Land, or other real estate belonging to said Society, & no purchase of any real estate, to be made by any monies, or received in exchange, unless upon Mortgage for money lent being a collateral security, shall be valid & effectual to pass or hold such Lands or Tenements, unless such sale or purchase shall be ordered, made or accepted by the vote or agreement of said Society, at a legal meeting to be called & holden for that purpose, & with the consent & concurrence of a majority of the said Trustees for the time being.

Empowered.

Time when  
successors shall  
be appointed.

*And be it further enacted by the authority aforesaid,* that the Trustees to be chosen by said Society as Successors to those named in this Act shall be chosen & appointed at their meeting in the month of March or April, which will be in the year of our Lord, one thousand seven

hundred & ninety four, at which time the offices of the Trustees named in this Act shall expire unless rechosen, by said Society at such Meeting.

*Approved March 22, 1793.*

## 1792. — Chapter 69.

[January Session, ch. 40.]

AN ACT IN ADDITION TO AN ACT, PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED & EIGHTY NINE, INTITLED, "AN ACT DETERMINING WHAT TRANSACTIONS SHALL BE NECESSARY TO CONSTITUTE THE SETTLEMENT OF A CITIZEN IN ANY PARTICULAR TOWN OR DISTRICT."

*Whereas in & by an act, intitled, "An Act determining what transactions shall be necessary to constitute the settlement of a Citizen in any particular Town or District," passed in the year of our Lord, one thousand seven hundred & eighty nine, it is among other things provided, that persons of certain descriptions in the said Act mentioned, who shall come into, & reside in any Town or District for the space of two years, without being warned to depart the same, should be deemed & taken to be Inhabitants of such Town or District; And whereas it appears expedient that the time of giving notice & warning to depart as aforesaid, shall be extended & prolonged; Therefore,*

Preamble.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the authority of the same, that no Person shall be deemed or taken to be an Inhabitant of any Town or District, by virtue of residence therein, unless he or she shall have resided in the same for the space of Five years from the time of passing the act to which this is an addition, without being warned to depart as aforesaid; the above recited act notwithstanding.*

Time of residence necessary to constitute a citizen.

*Approved March 22, 1793.*

## 1792. — Chapter 70.

[January Session, ch. 41.]

AN ACT FOR ALTERING AND DETERMINING THE PLACES OF HOLDING THE SUPREME JUDICIAL COURT IN THE COUNTY OF LINCOLN FOR THE COUNTIES OF LINCOLN, HANCOCK & WASHINGTON.

*Be it enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that the Supreme Judicial Court appointed by Law to be holden at Pownalborough in the County of*

Place for holding Court in Eastern counties.



Lincoln, for the Counties of Lincoln, Hancock & Washington shall for the future be holden at that part of Pow-nalborough aforesaid, called Wiscasset, & at Hallowell in said County of Lincoln, successively & alternately, at the time appointed by Law for holding the same. And that the next Session thereof shall be at said Wiscasset, any Law to the contrary notwithstanding.

*Approved March 22, 1793.*

### 1792. — Chapter 71.

[January Session, ch. 42.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER, BETWEEN THE TOWNS OF HAVERHILL AND BRADFORD IN THE COUNTY OF ESSEX, AND FOR SUPPORTING THE SAME.

Preamble.

*Whereas a Bridge over Merrimack river between the towns of Haverhill and Bradford in the County of Essex would be of public convenience; And whereas Samuel White esqr. and others have presented a petition to this Court setting forth that they with divers other persons have associated for the purpose of building said Bridge, and praying for liberty to build the same and to be incorporated for that purpose;*

Proprietors of  
the Haverhill  
Bridge incor-  
porated.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that Samuel White & Nathaniel Saltonstall esqrs. Messieurs Daniel Appleton, James Duncan Junr. Samuel Walker, Daniel Hardy, Nathaniel Thurston, Francis Kimball, Edmund Kimball, junr. & William Cranch with such other persons as have associated with them as aforesaid, and all those who may hereafter become proprietors in said Bridge be, & they are hereby made and constituted a Corporation and body politic for the purpose aforesaid by the name of the proprietors of the Haverhill Bridge; and by that name may sue and be sued to final judgment and execution, and do & suffer all matters acts and things, which bodies politic may or ought to do or suffer; and the said Corporation shall and may have & use a common seal, and the same may break & alter at pleasure.*

Common Seal.

Persons author-  
ized to call a  
meeting.

*And be it further Enacted by the authority aforesaid, that the said Samuel White, Daniel Appleton & James Duncan Junr., or any two of them may by advertisement*



in the Essex Journal, and by posting up an advertisement in the towns of Haverhill and Bradford respectively, warn or call a meeting of the said proprietors, to be holden at any suitable place and time, after six days from the first publication and posting up of said advertisement; and the said Proprietors by a vote of the majority of those present or represented at said meeting (accounting & allowing one vote to each single share in all cases) shall choose a Clerk, who shall be sworn to the faithful discharge of the duty of his said office and shall also agree on a method of calling future meetings; and at the same or any subsequent meetings, may elect such officers, and make and establish such rules & bye laws as to them shall seem necessary or convenient for the regulation and government of the said Corporation, for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established; and the same rules and bye laws may cause to be executed, and may annex penalties to the breach thereof, not exceeding three pounds; *Provided* the said rules and bye laws be not repugnant to the Constitution or laws of this Commonwealth: And all representations at any meetings of the said Corporation shall be proved by writing, signed by the person to be represented, which shall be filed by the Clerk. And this Act, and all rules and bye laws, regulations, votes and proceedings of said Corporation shall be fairly and truly recorded by the said Clerk, in a Book or Books to be provided and kept for that purpose.

Proprietors to elect officers and establish rules.

Proviso.

*And be it further Enacted by the authority aforesaid,* that the said proprietors be, and they are hereby permitted to erect a bridge over Merrimack river from the town's landing place and public high way in Haverhill aforesaid, between land of Samuel White esqr., and land late of Isaac Osgood esqr. deceased, to land of Samuel Trask or Edmund Kimball in Bradford aforesaid.

Place where the bridge is to be built.

*And be it further enacted by the authority aforesaid,* that the said proprietors be, and they are hereby authorized and empowered to purchase any real estate they may think it necessary or convenient to purchase, for effecting the purpose aforesaid, to the amount of one thousand pounds; and to hold the same in fee simple: And that the share or shares of any proprietor in said real estate and bridge, may be transfered by deed acknowledged and recorded by the, Clerk of said propri-

Proprietors empowered to purchase real estate.

Shares transferable.

etors in a Book to be kept for that purpose: And when any share or shares in said bridge and estate, shall be attached on mesne process, as the property of any of said proprietors, an attested copy of such process, shall be left with the Clerk of said proprietors, at the time of such attachment, otherwise the same shall be void.

Toll estab-  
lished.

Rates.

*And be it further enacted by the authority aforesaid,* that for the purpose of reimbursing the said proprietors the monies by them expended, or to be expended in building and supporting the said Bridge, a toll be, and hereby is granted and established for the sole benefit of the said proprietors according to the rates following, *viz.* For each foot passenger two thirds of a penny; for each person and horse three pence; for each Wheelbarrow, hand Cart or other vehicle, capable of carrying like weight two pence; for each horse and chaise, chair or sulkey eight pence; for each riding sley, drawn by one horse, six pence; for each riding sley drawn by more than one horse nine pence; for each coach, charriot, phaeton or other four wheeled carriage for passengers one shilling and six pence; for each curricule one shilling; for each cart, sled, sley or other carriage of burthen, drawn by one beast, six pence; for each waggon, cart, sled, sley or other carriage of burthen drawn by more than one beast, and not more than four beasts, nine pence; for each waggon, cart, sled, sley or other carriage of burthen drawn by more than four beasts, at the rate of two pence for each beast; for each horse or neat Cattle other than those rode or in carriages, two pence; for each sheep or swine two thirds of a penny; and to each team one person only shall be allowed as a driver to pass free of toll; and at all times when the toll gatherer shall not attend his duty, the gate or gates shall be left open: And the said toll shall commence on the day of the first opening of said bridge for passengers, and shall continue to the said proprietors, their heirs and assigns for the term of fifty years, and after said term to be delivered up to the use of the Commonwealth in good repair.

Commencement  
and duration of  
the toll.

Width of the  
Bridge.  
An Arch to be  
erected, and a  
draw for the  
passing of  
vessels.

*And be it further enacted by the authority aforesaid,* that the said bridge shall be thirty feet wide; that there shall be one arch, at least one hundred and forty feet long, over a good depth of water, the crown of which arch shall be twenty seven feet above common high water; that there shall be a convenient draw or passage-

way for vessels at least thirty feet wide, which shall be opened without toll, at all times, on demand, for vessels which cannot pass under said Bridge; that the said bridge shall be covered on the top with plank or timber, and that the sides be boarded up two feet high, and be railed for the security of passengers four feet high at the least; and said bridge shall at all times be kept in good, safe and passable repair; & that said Bridge shall be furnished with at least four good Lamps, which shall be well supplied with oil & kept burning through the night, one of which shall be on each side of the middle of the great arch, & one at each end of said Bridge.

Bridge to be kept in good repair, with lamps, &c.

*And be it further enacted by the authority aforesaid,* that within one year after the said bridge shall be opened for passengers, the said proprietors shall pay to Samuel Chadwick such sum or sums of money as shall be awarded to him by three indifferent men mutually chosen by the parties, as a full compensation for any injury sustained by him, by the erecting of said bridge; and in case of the refusal of either of the parties aforesaid to appoint such referees, the Judges of the Court of Common pleas for the County of Essex shall ascertain and adjudge said compensation after due notice to all concerned.

Compensation to be made to Samuel Chadwick.

*And be it further enacted by the authority aforesaid,* that if the said Proprietors shall neglect for the space of six years from the passing of this Act to build said Bridge then this Act shall be void. *Approved March 22, 1793.*

Act to be void in case.

## 1792. — Chapter 72.

[January Session, ch. 43.]

AN ACT FOR DIVIDING THE COUNTY OF SUFFOLK, & ESTABLISHING A NEW COUNTY BY THE NAME OF NORFOLK.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that all the territory of the County of Suffolk not comprehended within the towns of Boston & Chelsea from and after the twentieth day of June next be, and hereby is formed and erected into an entire and distinct County by the name of Norfolk; and Dedham shall be the Shire Town till otherwise ordered by the General Court; and the inhabitants of said County of Norfolk shall have and possess, use exercise and enjoy, all the powers, rights, and immunities, which by the Constitution and

Suffolk county divided.

Norfolk county erected with powers, &c.

Laws of this Commonwealth, the inhabitants of any County within the same, have, possess, exercise and enjoy or are intitled to.

Courts established and times for holding them.

*And be it further enacted*, that there shall be held and kept within the said County of Norfolk, at the Shire town thereof, a Court of General Sessions of the peace, and a Court of Common pleas on the last Tuesdays of April & September yearly, and a Supreme Judicial Court on the Tuesday next preceeding the last Tuesday in August annually, to commence in the year one thousand seven hundred and ninety four; and the Justices of said Courts of subordinate Jurisdiction, when lawfully appointed and commissioned, shall have, hold, exercise and enjoy all the powers and authority which are given and granted to Justices of like Courts in any other County within this Commonwealth; and all the aforesaid Courts shall bear the same legal relation to each other, by process of every kind, as the like Courts do in the other Counties of this Commonwealth.

Powers granted to the Justices.

Usual forms in choosing county officers to be observed.

*And be it further enacted*, that the methods and proceedings directed by law for choosing a County Treasurer and Register of deeds and the modes, forms and proceedings known and practised in bringing forward and trying actions, causes, pleas or suits, and of originating & conducting legal process of every kind whether civil or criminal, in the Judicial Courts established in the several Counties in this Commonwealth, and for choosing Jurors to serve at said Courts shall be observed, & put in practice within the said County of Norfolk *provided* that the choice of County Treasurer and Register of deeds for said County of Norfolk shall for the first time originate in the same manner as prescribed by law where vacancies happen in said offices by death or resignation.

Proviso.

Law suits, &c.

*And be it further enacted*, that all writs, suits, and process of every kind which may before the said twentieth day of June be depending in any Court, including probate Courts within the County of Suffolk, shall be heard and tried proceeded and determined upon in the County of Suffolk in the same manner as they would have been if this act had not been made. —

Deeds executed in Suffolk county legal.

*And be it further enacted*, that all deeds for the conveyance of real estates within the said County of Norfolk which shall be executed prior to the establishment of a registry of deeds, and qualification of a Register within



said County of Norfolk, may be recorded in the office of the Register of deeds for the County of Suffolk, and shall have the same legal effect and operation as though they were recorded in the registry of deeds for the said County of Norfolk.

*And be it further enacted*, that the several towns and districts within the said County of Norfolk shall pay their proportions of all County taxes already granted and assessed in the same manner as they would have done if this Act had not been made, and shall be holden to pay their proportion of all debts that shall be owing by the County of Suffolk on the said twentieth day of June next, after the appropriation of the present outstanding taxes, and be intitled also to their proportion of all property belonging to said County of Suffolk, except in the County Court House, Goal & Goal House, & the land belonging thereto: And said County of Norfolk shall be obliged to build and keep in repair all bridges within the said County of Norfolk, which at this time are chargeable upon the County of Suffolk and perform all other duties & obligations within their limits, which the County of Suffolk are now obliged to perform.

County of Norfolk subject to pay back taxes.

To build & maintain bridges.

*And be it further enacted*, that if it shall so happen that any person or persons, shall be liable to be committed to prison within the said County of Norfolk within two years from the passing of this Act, it shall be lawful to commit such person or persons by due process, to the common goal within the County of Suffolk, and all processes of law, and the powers of all officers within said County of Norfolk, shall be as legal and binding for that purpose, as though the same goal was within the said County of Norfolk; and the keeper for said goal, shall be liable for the safe keeping of all prisoners so committed in the same manner as though committed by due course of legal proceedings within the County of Suffolk, and all prisoners so committed shall be intitled to the same benefits and indulgencies as though committed within the said County of Norfolk, and all necessary expences which shall arise in consequence of the commitment of any prisoners from the County of Norfolk, shall be defreied by the same County.

Persons to be committed to goal in Suffolk, for a certain time.

*Approved March 26, 1793.*



## 1792. — Chapter 73.

[January Session, ch. 46.]

AN ACT IN ADDITION TO AN ACT, INTITLED, "AN ACT TO ASCERTAIN THE QUALITY OF POT AND PEARL ASHES, AND FOR THE MORE EFFECTUAL INSPECTION OF THE SAME" PASSED THE SEVENTEENTH DAY OF JUNE, ONE THOUSAND SEVEN HUNDRED AND NINETY ONE.

Preamble.

*Whereas the fees for inspecting Pot and Pearl ashes have been found insufficient: Therefore*

Fees of Inspector.

*Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same, that the Inspector of Pot and Pearl ashes, or his deputy, shall have and receive for inspecting the same, the sum of five pence for every hundred weight so inspected, and also the further sum of six pence for coopering and nailing each cask, and putting the same in shipping order, to be paid by the purchaser.*

Inspector's proportion from Deputy.

*And be it further enacted, that the said Inspector shall not in future receive from any Deputy he has, or shall appoint, more than seven and an half per cent on the sum first above mentioned, and no part of the sum allowed for cooperage, any thing in the act to which this is an addition, to the contrary notwithstanding.*

*Approved March 26, 1793.*

## 1792. — Chapter 74.

[January Session, ch. 44.]

AN ACT FOR SECURING THE GROWTH OF WOOD AND TIMBER IN A CERTAIN TRACT OF WOODLAND SITUATE IN THE TOWNS OF IPSWICH, GLOUCESTER, WENHAM, BEVERLY AND MANCHESTER.

Boundaries of Woodland.

*Whereas there is a large and valuable tract of Woodland in the towns aforesaid, bounded as follows; vizt., Beginning at the line between Ipswich and Gloucester by land improved by Nathaniel Greateon, thence westerly by improved land of said Greateon and others to Joseph Marshall's improved land, from thence by Mark Burnham's improved land, and land of others to Chebacco pond, thence southerly on the southeast side of said pond to a wall fence, and with the fence to gravel pond; thence on the northwest side of said pond to a brook and on said Brook to round pond, thence on the northwest side of said pond to a wall*

*fence, thence by said wall fence, to land of Malachi Knowlton and to Dodge's pond, then southerly by said pond to a brook called Allitrap, thence on said brook near to Nehemiah Preston's corner, thence from said Preston's corner as the fence stands to John Peirce's corner, thence on improved land of said Peirce Standly, James Woodbury's heirs, and others, to land formerly belonging to John Morse, from thence northerly on improved land to the Commoners land of Manchester; thence on improved land, to the Sheep pasture of the heirs of Samuel Lee, and thence easterly on improved land of the said heirs and others to Beaver Dam, thence on improved land of Andrew Woodbury, Isaac Lee & others to the line between Manchester & Gloucester, thence on said line southward to the sea, thence by the sea to the Cutt in Gloucester, thence by Annasquam river to the sea, thence by the sea to Chebacco river, thence by the said river, to the line between Gloucester and Ipswich, thence by said line to Greateon's land, the bounds first mentioned.*

*And whereas the growth of wood and timber in the same tract of woodland, and which cannot be conveniently or profitably inclosed with a sufficient fence, is almost wholly destroyed by horses, cattle and sheep, going and feeding therein to the great damage not only of the proprietors, but of the inhabitants of said towns in general; for the prevention whereof;*

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that the proprietors of the said tract of woodland shall have liberty to improve and manage the same, in the form and manner, in which the proprietors of common and general fields do and may by law manage the same; and shall have the like powers and authority for the future management of said tract of woodland, and more especially at any meeting to be duly convened, to appoint field drivers or agents, to protect the wood growing thereon, from damage. And Daniel Giddings, James Patch, William Tuck, and Samuel Whittemore, or any two of them, are hereby authorized to call the first meeting of the said proprietors at such time and place as they shall think convenient, giving notice thereof in writing posted in some public place in the several towns aforesaid, and by an Advertisement in the Salem Gazette at least fourteen days previous to such meeting: And at such first meeting, the*

Preamble.

Proprietors allowed to improve and manage the same.

Persons authorized to call a meeting, &c.

said proprietors shall agree upon the manner of notifying meetings in future ; and in all meetings of the proprietors their several votes shall be recorded, according to the majority of the interest of the proprietors present.

Beasts prohibited from going at large —

*And be it further enacted by the authority aforesaid,* that from and after the first day of April next, no horses, neat cattle or sheep, shall be allowed to go at large, or feed in the tract of Woodland aforesaid ; & if any person or persons shall turn or drive any horse, mare, neat cattle or sheep into the same tract of Woodland, he or they shall forfeit and pay to the use of said Proprietors, five shillings a head for neat cattle, and for each horse or mare ; and one shilling a head for each sheep, so turned or driven into the same Woodland to be paid or recovered as is herein after mentioned.

Subject to being impounded.

*And be it further enacted,* that if any one of the said proprietors, or any field driver, or agent duly appointed by them, shall find any cattle, horse kind or sheep going or feeding in said Woodland, it shall be lawful for him to impound the same, and give public notice thereof in the town in which such beast shall be taken, and in the next adjoining town ; and shall relieve such beast while in pound, with suitable meat and water ; and when the owners thereof shall appear and demand a delivery of the same from the pound, he shall pay all damages, costs and expences, occasioned by the same beast in said Woodland, and by the impounding thereof, to be ascertained by three appraisers, one to be appointed by the owner, one by the party impounding, and the third by the two first appointed ; and if no owner shall appear within the space of ten days, to redeem said beast so impounded, appoint one of said appraisers, and pay said sums ; then the Proprietors or field driver who impounded the same beast, shall cause the same to be sold at public vendue for the payment of said damages, costs, penalties and expences, public notice of the time and place of sale being given forty eight hours beforehand, by posting up an advertisement in some public place in each of the said towns ; and the overplus, if any there be, arising from such sale to be returned to the owner on demand to be made within one year from the time of sale ; and if no owner shall appear in that time, then the said overplus shall be paid to the poor of said town ; & wherever any owner shall refuse or neglect to appoint one of the appraisers as aforesaid, it

Owners to pay costs.

To be sold in case no owner appears.

shall be lawful for any Justice of the peace in the County of Essex to appoint such appraiser.

This Act to continue & be in force for the term of ten years from the passing thereof, and no longer.

Term of continuance of this Act.

*Approved March 26, 1793.*

## 1792. — Chapter 75.

[January Session, ch. 45.]

AN ACT GRANTING LIBERTY TO THE PROPRIETORS OF SACO BRIDGES, SO CALLED, OVER SACO RIVER IN THE COUNTY OF YORK TO CONTINUE THE SAME, AND FOR REGULATING THE TOLL FOR PASSING THE SAME.

*Whereas certain persons have at their own private cost and charge erected two Bridges over Saco River, one from Biddeford to Indian Island and the other from Indian Island to the Shore in Pepperelborough in the County of York, which under due regulations may be of public utility; and it is but just that the Proprietors thereof should be reimbursed the expence they have been and may be at in the building, and keeping the same in good repair;*

Preamble.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that for the purpose of reimbursing the Proprietors of said Bridges their heirs, associates and assigns the monies expended, or to be expended in building and supporting the same a toll be and hereby is granted to the present Proprietors of said Bridges their heirs associates and assigns & for their sole benefit according to the rates following, to continue till the further order of the General Court; for each foot passenger two cents; for each person and horse six cents; for every cart sled or sleigh drawn by one horse ten cents; for every cart waggon sled or sleigh drawn by two or more horses twelve & a half cents; for every chaise or chair drawn by one horse with the riders fifteen cents; for every horse and sulkey with the rider twelve & a half cents; for every chaise drawn by two horses with the passengers twenty cents; for each Coach, Chariot, Phaeton or Curricie including passengers twenty five cents; for each cart or sled drawn by two oxen ten cents; for every cart, or sled drawn by four or more oxen twelve and a half cents; for all neat cattle one cent each; for each dozen of sheep or swine two cents, and so in proportion*

Toll granted.

Rates.



for a greater or less number: And in all cases the same toll shall be paid for all carriages & vehicles passing said Bridges whether the same be loaded or not loaded; and to each team one man and no more shall be allowed as a driver to pass free from payment of toll; and the toll gatherer shall not be obliged at any time to open the gates for any passenger, till he, or she has paid the rate of toll; and at all times when the toll gatherer shall not attend his duty the gate shall be left open. And if any person shall receive or demand any greater toll in any case than is stated by this act or shall hinder or attempt to hinder any person from passing said Bridges or either of them with his horse or horses, cattle or carriage, sled or sleigh, sheep or swine upon paying or offering to pay the toll hereby established, he shall forfeit the sum of Four pounds to be recovered with costs before any Justice of the peace in the said County of York by any person from whom such greater toll shall be received or demanded, or by any person so hindred or attempted to be hindred from passing as the case may be.

Forfeiture.

Sign board  
to be erected.

And said Proprietors shall put and constantly keep up at the place where the toll shall be received a Sign board on which shall be painted in large fair & legible characters the several rates of Toll established by this act otherwise they shall not be intitled to receive the same: And said Toll shall be no longer demanded than while the said Proprietors shall keep said Bridges in good repair.

*Approved March 26, 1793.*

## 1792. — Chapter 76.

[January Session, ch. 47.]

AN ACT PERMITTING THE INHABITANTS OF THAT PART OF THE TOWN OF WAREHAM WHICH WAS FORMERLY PART OF ROCHESTER TO TAKE ALEWIVES WITH SEINES OR DRAG NETS AT A PLACE CALLED THE NARROWS IN WAREHAM RIVER ON A CERTAIN DAY IN EACH WEEK.

*Be it enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same that any Inhabitant of that part of the Town of Wareham which was formerly part of Rochester be and they are hereby allowed & permitted to take for their own use with one Seine or drag net only, the Fish called Alewives at a place called the Narrows in Wareham River on the West side thereof & to the Northward of Nathan*

Inhabitants  
allowed to take  
fish at a certain  
time.



Bassett's now dwelling house one half day in each week from Sun rising, untill twelve of clock on every Monday & at no other time, any Law or usage to the contrary notwithstanding.

*And be it further enacted by the authority aforesaid* that no person or persons inhabitants as aforesaid shall sell or dispose of any of said fish caught as aforesaid to any person or persons not inhabitants as aforesaid. Prohibited from selling.

*And be it further enacted by the Authority aforesaid,* that if upon complaint made before any Justice of the Peace for the County of Plymouth any Person or persons shall be convicted of a breach of this act, he shall forfeit & pay for every such offence a fine of Four Pounds one half thereof to the complainant & the other half thereof to the Poor of the Town of Wareham. Forfeiture in case of breach.

*Approved March 26, 1793.*

## 1792. — Chapter 77.

[January Session, ch. 48.]

AN ACT TO CONTINUE AN ACT, INTITLED, "AN ACT FOR RENDERING PROCESSES IN LAW LESS EXPENSIVE."

*Whereas the said Act will expire on the last day of June next, & it is expedient the same should be continued.*

*Be it enacted by the Senate & House of Representatives in General Court Assembled & by the authority of the same,* that the said Act be, & the same is hereby continued & shall continue in force until the first day of June, one thousand seven hundred & [and] ninety nine. Act continued.

*Approved March 27, 1793.*

## 1792. — Chapter 78.

[January Session, ch. 49.]

AN ACT IN ADDITION TO AN ACT, PASSED THE FOURTH DAY OF MARCH ONE THOUSAND SEVEN HUNDRED & NINETY, ENTITLED "AN ACT TO REGULATE THE CATCHING OF SALMON SHAD AND ALEWIVES, AND TO PREVENT OBSTRUCTIONS IN MERRIMACK RIVER, AND IN THE OTHER STREAMS RUNNING INTO THE SAME WITHIN THIS COMMONWEALTH.

*Whereas it is found by experience, that the catching of fish, at or near the mouth of the Rivers & Streams, emptying into Merrimack River, within the Town of Andover, greatly obstruct and impede fish entering and passing up said Rivers & Streams;* Preamble.

Boundaries for  
catching fish.

Penalty.

*Therefore, be it enacted, by the Senate and House of Representatives in General Court assembled and by the authority of the same; That no person or persons shall after passing this act, be allowed to catch Salmon, Shad or Alewives, or drag any Sein, or set any net, pott or other machine for the purpose of taking or catching said Fish, or any otherways obstruct said fish in their passage, within fifty rods below, or twenty rods above the mouth of any River or Stream in the Town of Andover, emptying into Merrimack River aforesaid nor draw any Sein for catching of Alewives between the mouths of Shaw-shine River & Cochecho brook on penalty of Four Pounds, and the Sein, net, pott or other machine, so used to be forfeited, and the fine aforesaid to be recovered and applied in the same manner as the fines are for the breach of the Act to which this is an addition.* *Approved March 27, 1793.*

### 1792. — Chapter 79.

[January Session, ch. 50.]

AN ACT FOR ESTABLISHING THE DIVIDING LINE BETWEEN THE TOWNS OF HOLDEN & PAXTON IN THE COUNTY OF WORCESTER.

Preamble.

*Whereas some disputes have arisen between the Towns of Holden & Paxton with respect to the line dividing said Towns Therefore,*

Description of  
the dividing  
line between  
Holden &  
Paxton.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same, that the line hereafter described shall be considered as the dividing line between the Town of Holden & the Town of Paxton, vizt. beginning at a stake & stones on the most Westerly line of the two lines which occasioned said dispute, being the Southeasterly corner of the farm of John Fessenden esqr. & is a corner of the Towns of Rutland & of said Paxton, thence running Southerly on said Westerly line until it comes to a large Chesnut tree with stones about it standing in the original North line of the Town of Leicester eleven rods Westerly of Ward's line, so called, thence turning an angle & running Easterly on said original North line of Leicester eleven rods to a heap of stones on the said Ward's line, being the original Northeast corner of the said Town of Leicester thence Southerly on said Ward's line to a heap of stones, being a corner between the said Towns of Leicester & Paxton.*

*Approved March 27, 1793.*

1792. — Chapter 80.

[January Session, ch. 53.]

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF  
THE WEST CONGREGATIONAL SOCIETY IN TAUNTON.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that George Godfrey, Nathaniel Briggs, Daniel Burt, Nathan Cobb, George Woodward, Levi Torrey, John Willis, Thomas Hodges, Henry Burt, George Macomber, Peter Walker, James Tisdale, John Briggs, Thomas Burt junr. Lincoln Porter, Isaac Tubbs, Samuel Porter jun., Nathan Read, Jonathan Cobb junr., Daniel Tubbs, Elijah Briggs, Gideon Lincoln, Amaziah Lincoln, Abner Lincoln, Ezra Macomber, Joel Tubbs, Seth Hodges, John Macomber the third, John Willis junr. Benjamin Walker, Isaac Burt, Eliakim Walker, Samuel Coddington, junr. James Walker, Ephraim Harvey, Henry Hodges, Samuel Hayward, Nathaniel Willis, Zebina Willis, Abijah Pratt, Zephaniah Hodges, Nathan Cobb junr., Joseph Hayward, Russell Godfrey, Dean Briggs, Nathaniel Dean, Enos Dean, Elisha Briggs, Elisha Lincoln, John Reed, and Rufus Godfrey together with all those who shall join said Society and become members thereof and unite with them in the same place of worship within the said town of Taunton, with their several estates be, & they are hereby incorporated into a Society by the name of the West Congregational Society in Taunton, and by that name may sue and be sued, plead & be impleaded, defend and be defended in any Court or place whatever.

Persons incor-  
porated.

Name of the  
Corporation.

*And be it further Enacted by the authority aforesaid,* that the members of said Corporation, at any meeting duly warned therefor, shall have power to make and establish all such rules and regulations, appoint such officers for the government of said Society as may be necessary, also to grant such sums of money and order assessment thereof, or to raise money by taxing the Pews in the meeting house, or by renting them out annually as may be necessary for the support of public worship, and other incidental charges in said Society.

Its powers.

*And be it further enacted,* that all male persons, who usually assemble with the aforesaid Society for public worship, and qualified according to Law to vote in town affairs may vote in all meetings of said Society.

Exempted from  
paying certain  
taxes.

*And be it further Enacted*, that the several persons in this Act before named, & all others their associates being inhabitants of the said town of Taunton, and their several estates shall not be liable to be taxed for the support of public worship in any other Society in the said town of Taunton.

Persons belong-  
ing to the  
Society, may  
leave it by  
giving notice.

*And be it further Enacted* that the Clerk of said Society shall keep a fair record of the names of all persons who shall become members thereof; and when any member of said Society shall request a dismissal therefrom, & shall signify the same in writing to the said Clerk, such Clerk shall make a record thereof, & such person shall thereupon be dismissed accordingly, but shall be held to pay his proportion of such money as shall have been previously granted by said Society.

Persons  
admitted into  
said Society  
first giving  
notice,  
and paying  
previous taxes.

*And be it further Enacted* that all those who hereafter shall be desirous of becoming members of said Society, being inhabitants of said town of Taunton, & shall signify the same in writing to the Clerk of said town, thirty days, at least, previous to the annual meeting of the inhabitants of said town in the month of March or April, shall be considered in law as members of said Society: And any person or persons who shall leave any other religious Society in said town of Taunton & join the Society incorporated by this Act, shall be holden to pay all legal taxes previously assessed upon them, and their proportion of the previous debts and charges of the Society which they shall leave as aforesaid.

George God-  
frey, Esq. to  
issue warrant.

*And be it further enacted*, that George Godfrey Esqr. be, and he hereby is empowered and directed to issue his Warrant to some principal member of said Society requiring him to warn a meeting thereof at such time & place as shall therein be set forth, at which meeting, the method of calling future meetings shall be determined, conformable to the laws of this Commonwealth.

*Approved March 27, 1793.*

## 1792. — Chapter 81.

[January Session, ch. 51.]

AN ACT PROVIDING FOR THE SUPPORT OF POOR PERSONS WHILE  
CONFINED IN GOAL, UPON CHARGE OR CONVICTION, OF CRIMES  
AGAINST THIS COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of*

*the same*, that from and after the first day of May next the Prisoners in any of the Goals of this Commonwealth committed or confined, upon charge or conviction of Crimes or Offences against this Commonwealth, if unable to support themselves, shall be supported by the County having charge of such Goal or wherein such Crime or Offence shall have been committed, and the County shall be reimbursed the same from the Costs of commitment and support which shall be awarded against such Prisoner or ordered to be paid before his discharge, if any shall be awarded and paid; and otherwise the necessary support of such prisoners shall be reimbursed by the Commonwealth; *Provided* that no charge shall be reimbursed to any County exceeding five shillings for every week of the actual confinement of any Prisoner, or exceeding the allowance being less than that sum, which shall be ordered by the Court of Sessions to the Goal keeper.

How prisoners are to be supported.

Proviso.

*And be it further enacted by the Authority aforesaid*, that the fines and forfeitures now by law payable to the several County Treasurers of this Commonwealth not otherwise appropriated shall be appropriated for payment of all sums duly chargeable to the Commonwealth for the support of poor prisoners by virtue of this act; and all sums chargeable as aforesaid being considered and allowed by the General Court shall be paid from such fines & forfeitures so far as the same may extend and any deficiency shall be annually paid out of the Treasury of this Commonwealth.

Fines payable to County Treasurer, to be appropriated to support prisoners.

*Approved March 27, 1793.*

## 1792. — Chapter 82.

[January Session, ch. 52.]

AN ACT TO SUSPEND IN CERTAIN CASES THE OPERATION OF AN ACT PASSED ON THE THIRTEENTH DAY OF FEBRUARY, IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED & EIGHTY SEVEN, ENTITLED, "AN ACT FOR THE LIMITATION OF PERSONAL ACTIONS, & FOR AVOIDING SUITS AT LAW."

*Whereas the operation of said Act may defeat many Creditors of their just demands unless a longer time is allowed for commencing & suing Actions mentioned in said Act,*

Preamble.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled and by the Authority of the same*, that the said Act passed on the said thirteenth

Former Act suspended.



day of February, shall be so far suspended that all Actions of account & all Actions of debt, & upon the case for or upon any promise lending or contract which by the said Act, or any Act suspending the operation of said Act are limited so as that they cannot be commenced & sued after the first day of June next shall & may be commenced & sued at any time on or before the first day of December next, & not afterwards, any law to the contrary notwithstanding.

Secretary  
directed.

*And be it further Enacted by the Authority aforesaid,* that the Secretary shall cause this Act to be printed six weeks successively in all the News Papers in this Commonwealth.

*Approved March 27, 1793.*

### 1792. — Chapter 83.

[January Session, ch. 54.]

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE TRUSTEES OF CHARLESTOWN FREE SCHOOLS.

Preamble.

*Whereas the education of youth has been ever considered, by the wise and good, as of the highest consequence to the safety and happiness of a free people, and whereas sundry persons have bequeathed real and personal property to the Town of Charlestown the rents and profits thereof to be solely and forever applied to and for the use of the free Schools in said Town; and whereas many inconveniences have arisen in the present method of executing their generous designs;*

Persons  
appointed  
Trustees and  
incorporated.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same* that Richard Devens, Nathaniel Gorham, Josiah Bartlett, Aaron Putman Esquires Joseph Hurd Merchant, Nathaniel Hawkins & Seth Wyman Gentlemen all of Charlestown in the County of Middlesex, be and they hereby are nominated and appointed Trustees of the free Schools in said Town of Charlestown, and they hereby are incorporated into a body Politic by the name of the Trustees of Charlestown free Schools.

Donations  
confirmed to  
Trustees for  
the use of the  
schools.

*Be it further enacted by the authority aforesaid,* that all the donations which have been given to said Town for the use and support of their Schools whether Real, personal or mixed shall be pursuant to the consent and at the request of said Town had in public Town Meeting on the fourth day of March one thousand seven hundred & ninety

three, and they are hereby confirmed unto the aforesaid Richard Devens and others, and to their successors in said office of Trustees of Charlestown Free Schools forever, for the sole use and benefit of said Schools, agreeably to the true intent and meaning of the donors.

*Be it further enacted by the authority aforesaid*, that the said Trustees and their successors shall have one common Seal which they may make use of in any cause or bussiness, that relates to the said Office of Trustees of said Schools, and they shall have power and authority to break change and renew the same from time to time as they shall see fit; and they may sue and be sued in all actions real personal and mixed and prosecute and defend the same to final judgment and execution by the name of the Trustees of Charlestown Free Schools.

Common Seal.

Trustees may sue and be sued.

*Be it further enacted by the authority aforesaid*, that the aforesaid Richard Devens & others & their successors in said Office of Trustees be the visitors, trustees, & Governors of the aforesaid Charlestown free Schools to be continued in the way and manner following *vizt.* That the said Town of Charlestown at their annual Town meeting in the month of May shall have authority to elect by ballot such persons to the number of seven, as they shall think proper to the said Office of Trustees of Charlestown Free Schools, & that five of said Trustees shall constitute a quorum for doing bussiness and the major part of the members present shall decide all questions that shall come before them, & that the said Trustees shall have power and authority to elect a President, Treasurer & Secretary and such other officers as they shall judge necessary & convenient but no pecuniary compensation shall be allow'd the said Trustees without the consent of said Town of Charlestown, & to make & ordain such laws, rules, & orders for the good government of said Schools, as to them the Trustees, Governors & Visitors aforesaid & their successors shall from time to time seem most fit & requisite, all which shall be observed by the Officers and Scholars of said School upon the penalties therein contained. *Provided notwithstanding* that the said rules, laws & orders be no ways repugnant to the Laws of this Commonwealth.

How chosen in future.

Empowered\*to make rules, laws, &c.

Proviso.

*Be it further enacted by the authority aforesaid*, that the Trustees aforesaid be and they hereby are rendered capable in law to take, and receive by gift, grant, devise, or

Capable in law of holding estate.

Proviso. bequest or otherwise, any lands, tenements or other estate real & personal which may in future be granted for the benefit of said Charlestown free Schools *provided* the annual income thereof shall not exceed the sum of Six hundred pounds, to have and to hold the same under such provisions and limitations as may be expressed in any deed or conveyance to them made, by the donor or donors and that all deeds and instruments which the said Trustees shall lawfully make, shall when made in the name of said Trustees and sign[*e*]d & delivered by the President and Sealed with their common Seal bind the said Trustees and their successors, and be valid in law.

Deeds signed & sealed, to be valid.

Trustees further empowered.

*Be it further enacted by the authority aforesaid*, that the aforesaid Trustees shall have full power and authority to determine at what times and places their meetings shall be holden, and upon the manner of notifying the Trustees to convene at such meetings and the said Trustees shall have full power and authority to determine and prescribe from time to time the powers and duties of their several officers, and to fix and determine the tenures of their respective offices.

Trustees to render statement.

*Be it further enacted by the authority aforesaid*, that the said Trustees shall at the Annual meeting of said Town of Charlestown in the month of May, previous to the election of Trustees lay before said Town, the particulars of their proceedings, and the state of their funds —

Richard Devens impowered.

*Be it further enacted by the authority aforesaid*, that Richard Devens be, and he is authorized and impowered to fix the time and place for holding the first Meeting of said Trustees, and to certify them thereof.

*Approved March 27, 1793.*

## 1792. — Chapter 84.

[January Session, ch. 55.]

AN ACT FOR INCORPORATING CERTAIN LANDS IN THE TOWN OF DEDHAM IN THE COUNTY OF SUFFOLK INTO A COMMON FIELD.

Preamble.

*Whereas Jacob Penniman and others have petitioned this Court, setting forth that they are proprietors of a certain Tract of Meadow land lying in said Dedham known by the name of Burnt Swamp, which now lies in common with a large tract of meadow, that is not secured by fence so as to prevent damage being done by horses and neat cattle which are frequently found feeding thereon and praying that the same may be Incorporated into a general Field*

*bounded as follows — to begin at the confluence of Traphole Brook (so called) with Neponset River, thence Southwesterly on said Brook till it comes to the Southwesterly corner of James Kingsberry's meadow, thence Northwardly on a line that separates said Meadows from the upland, till it comes to the Northwesterly corner of the Meadow belonging to the heirs of Isaac Lewis deceased, thence running easterly on the line of the Meadow of said heirs till it comes to the Southwesterly corner of Ebenezer Everett's meadow thence running northerly on the line between said Ebenezer Everett and Asa Everett's meadow so on till it comes to the Southwesterly corner of Moses Guild's meadow, thence northerly on the line that separates the meadow from the upland till it comes to the northwesterly corner of said meadow lots thence Easterly on the line that separates the meadows from the upland till it comes to the meadow inclosed by Seth Bullard & Andrew Willett, thence running southerly about twelve rods to the end of a large ditch, thence easterly on said ditch till it comes to Neponset River thence towards the east on said River till it comes to the bounds first mentioned.*

Boundaries.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same — That Jacob Penniman, Ebenezer Everett, Moses Guild, Nathaniel Colburn, David Fisher, William Everett junr. Isaac Lewis, Andrew Willet, Seth Bullard, John Fairbank, William Coney, William Pettee, Benjamin Pettee, Simeon Rhoades, Samuel Pettee, James Kingsberry, Ebenezer Fales, Abel Allen, David Lewis, Jonathan Dean, Solomon Kinsberry and Abel Everett their heirs and successors be and they hereby are incorporated as the Proprietors of all the Lands included within the lines aforesaid, which lands shall be considered one common and general field, and the proprietors and owners of said lands are hereby invested with all the powers and privileges which the Proprietors of General Fields by Law are invested withall.*

Proprietors incorporated.

*Approved March 27, 1793.*

## 1792. — Chapter 85.

[January Session, ch. 57.]

AN ACT FOR ESTABLISHING ANOTHER TERM FOR HOLDING THE COURT OF COMMON PLEAS & GENERAL SESSIONS OF THE PEACE IN THE COUNTY OF WORCESTER.

*Whereas it has been represented to this Court that it would be conducive to the interest & convenience of the*

Preamble.



*Citizens of the County of Worcester to establish another term for holding the Courts of Common Pleas & General Sessions of the Peace in said County —*

*Be it therefore Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same, that from & after passing this Act there shall be a Court of Common Pleas, & a Court of General Sessions of the Peace holden at Worcester within & for the County of Worcester on the second Tuesday of June, annually.*

*Approved March 28, 1793.*

Court of  
Common Pleas  
established.

## 1792. — Chapter 86.

[January Session, ch. 56.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE TOWN OF PITTSTON IN THE COUNTY OF LINCOLN INTO A PARISH BY THE NAME OF THE EPISCOPALIAN SOCIETY IN PITTSTON.

Preamble.

*Whereas a number of inhabitants of the town of Pittston have petitioned this Court to be incorporated for the reasons expressed in their petition, & it appearing to this Court reasonable that the prayer thereof be granted,*

Persons incor-  
porated into  
a Society.

*Be it therefore Enacted by the Senate & House of Representatives in General Court assembled and by the authority of the same, that Jedediah Jewett, William Barker, Henry Smith, Henry Dearborn Nathaniel Bailey Seth Gay, Barzillai Ganet, Stephen Jewett, Samuel Lang, Nathaniel Hall, Reuben Moore, Jonathan Redman, James Parker, John Nichols, Daniel Jewett, Benjamin Shaw, Peter Grant, Thomas Town, Cyrus Ballard, Simeon Goodwin, Nathaniel Berry, Thomas Berry, Bartholomew Kimball, Jeremiah Nichols, Andrew Bradstreet, Gideon Gardiner, David Philbrook, Rufus Gay, Jeremiah Wakefield, Gardiner McCausland, Joseph Bradstreet, Henry McCausland junr. Henry Smith junr. Nathaniel Kimball & Abraham Fitts the petitioners together with their polls and estates hereby are incorporated into a parish by the name of the Episcopalian Society in Pittston with all the privileges, powers, & immunities which other parishes in this Commonwealth are intitled to by law.*

Name of the  
Society.

Persons may  
join or leave, by  
giving notice.

*Be it further enacted by the authority aforesaid, that if any other person or persons may incline to join the said Episcopalian Society in said Pittston, by signifying such their desire in writing to the Clerk of the said town of*



Pittston, he or they shall with their polls and estates be considered as belonging to the said Episcopalian Society in the same manner as though they had signed the said petition: and whenever any person or persons belonging to the Episcopalian Society aforesaid shall incline to belong to the other part of said Pittston, by signifying such their desire in writing to the Clerk of said town, he or they shall with their polls & estates be, and hereby are discharged from the said Episcopalian Society, and annexed to the other part of said town.

*And be it further Enacted by the authority aforesaid* that Jedediah Jewett Esqr. be, & hereby is authorized to issue his Warrant directed to some principal member of said parish, requiring him to warn the members of the said parish, qualified to vote in parish affairs, to assemble at some suitable time & place in said town, to choose such Officers as parishes are by law required to choose in the month of March & April annually, and to transact all matters & things necessary to be done in the said parish.

Jedediah  
Jewett, Esq.  
to issue war-  
rant.

*Approved March 28, 1793.*

## 1792. — Chapter 87.

[January Session, ch. 58.]

AN ACT IN ADDITION TO AN ACT INTITLED “AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CHARLES RIVER, FROM THE WESTERLY PART OF BOSTON TO CAMBRIDGE, AND FOR EXTENDING THE INTEREST OF THE PROPRIETORS OF CHARLES RIVER BRIDGE FOR A TERM OF YEARS.”

*Be it Enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same* that the proprietors of West Boston Bridge shall be, and they hereby are declared to be able and capable in law to take and purchase, and to have hold, enjoy, possess, receive and retain any and all such lands, tenements and hereditaments, and the rents, profits, and benefits thereof, as the same proprietors shall judge expedient for the better effectuating and securing the purposes of their incorporation, to their use, and to the use of their successors and assigns forever, *provided* that the same shall not exceed the sum of forty thousand dollars.

Proprietors  
may legally  
purchase,  
possess and  
hold lands, &c.

Proviso.

*And be it further enacted by the authority aforesaid,* that the same proprietors be and they are hereby authorized and empowered to open, cut, construct & maintain

Empowered to  
open and main-  
tain canals, &c.

Proviso.

such Ditches, Canals, & Dams, over, through & across the marsh or upland on each side of the way or road which by the Act, to which this Act is in addition, they are required to make and to keep in good repair, as shall be necessary for the purpose of their incorporation: *Provided* that the whole width of said way or road including the said Canals, Ditches and Dams, shall not exceed one hundred & thirty feet.

Preamble.

*And whereas it may be necessary, that the same proprietors in making said way or road, should take use & appropriate the lands belonging to other persons; Therefore*

Justices empowered to appoint appraisers in case —

*Be it further enacted by the authority aforesaid that when the said proprietors shall judge it necessary to take, use, or appropriate any land not exceeding the limits before prescribed for the use of said road or way, or the maintainance thereof, and cannot agree with the owners of such lands upon their value, or the compensation to be made them therefor; or upon suitable persons to appraise the same, then, and in such case the Justices of the Court of General Sessions of the peace, within & for the County where such lands lie, are hereby authorized and empowered, upon application of either party, to appoint three disinterested freeholders of the County in which such lands lie, to appraise the same, & the damages, if any which the owner or owners thereof may have thereby sustained, upon the same principles as private property is to be appraised and estimated when taken and appropriated for highways or the repairing the same: And such appraisment being returned into, and accepted by the said Court, shall be taken and deemed final between the parties, and vest the estate or property so appraised, in the said proprietors, & the said Court shall thereupon issue their execution or Warrant against the same proprietors to satisfy the same appraisment upon; unless either party being dissatisfied with such appraisment shall at the next session of the said Court after such acceptance apply for a Jury to appraise and estimate the value thereof, or the damages, if any, thereby done to the owners of such lands; in which case the said Court is hereby impowered to hear and finally determine the same by a Jury under oath to be summoned by the Sheriff or his Deputy for that purpose, or by a new Committee if both parties shall agree thereto: And if the Jury or*

Parties dissatisfied with the judgment, may apply for a jury.

Committee so appointed or agreed on by both parties, who are to be under oath, shall not return a verdict or make a report or return more favorable to the petitioners or applicant, than the first Committee appointed by the Court as aforesaid, the petitioner or applicant shall pay the other party his reasonable costs, otherwise, the other party shall pay such costs; & in both cases Judgment shall be made up agreeably to the verdict of the Jury, or report of the last Committee, so far as it respects damages, with or without the deduction of costs therefrom, as the case shall require, and execution shall issue accordingly; and the bodies of any of the same proprietors shall be, and hereby are made liable to be taken in execution on such Judgment, in the same manner the inhabitants of any town are by law liable, when Judgments are had against them; & the lands or other estate shall vest in the same proprietors, their successors and assigns in fee simple forever.

Payment of costs.

Proprietors liable to be taken in execution.

*And whereas it may be of public advantage that, the proprietors of Charles river Bridge should be enabled to purchase and hold real estate to a certain amount;*

Preamble.

*Be it further enacted by the authority aforesaid, that the proprietors of Charles river Bridge be & hereby are declared able and capable in law, to take & purchase, & to have, hold, enjoy, possess, receive, & retain any & all such lands, tenements & hereditaments, and the rents profits & benefits thereof as the same proprietors shall judge expedient for the better effectuating & securing the purposes of their incorporation, to their use, and the use of their successors & assigns forever; Provided the same shall not exceed the sum of forty thousand dollars.*

Proprietors of C. R. Bridge may legally purchase and hold land, &c.

Proviso.

*Approved March 28, 1793.*

## 1792. — Chapter 88.

[January Session, ch. 59.]

AN ACT IN ADDITION TO, & FOR REPEALING A CERTAIN CLAUSE IN AN ACT PASSED MARCH THE TWENTY EIGHTH, IN THE YEAR OF OUR LORD, ONE THOUSAND SEVEN HUNDRED AND EIGHTY EIGHT, INTITLED "AN ACT TO PREVENT THE DESTRUCTION OF ALEWIVES AND OTHER FISH IN IPSWICH RIVER, & TO ENCOURAGE THE ENCREASE OF THE SAME.

*Whereas it appears by the petition of Thomas Burnham, and a certificate of the Selectmen of the towns of Ipswich, Topsfield and Middleton accompanying the same,*

Preamble.

*that a repeal of a certain clause in the aforementioned Act so far as it respects the using and improving the said Burnham's Saw-mill, from the last day of April to the first day of June annually, provided the same be subjected to the regulation herein after mentioned, will not be injurious to the public;*

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that the future using and improving the said Burnham's lower Saw-mill, standing on Ipswich river, within the town of Ipswich, from the last day of April to the first day of June annually, shall be under the directions, regulations and restrictions of the major part of the Selectmen of the towns of Ipswich, Topsfield & Middleton for the time being, such directions, regulations and restrict[r]ions being made in writing under the hands of the major part of the Selectmen aforesaid, delivered to the said Burnham from time to time, as shall be found necessary.*

Burnham's  
saw-mill to be  
under the direc-  
tion of Select-  
men.

Penalties in  
case of breach  
of regulations.

*And be it further enacted that for every omission or violation of such directions, regulations or restrictions as aforesaid the said Burnham shall be subjected to such penalties and forfeitures as is incurred by the aforementioned Act, for using & improving said Saw-mill within the term aforesaid to be sued for recovered and applied in manner as is prescribed in the said Act.*

Clause  
repealed.

*And be it further enacted that the sixth clause of the afore mentioned act so far as it respects the using and improving the said Burnham's lower Saw mill, within the term therein mentioned, shall be, & hereby is repealed.*

*Approved March 28, 1793.*

## 1792. — Chapter 89.

[January Session, ch. 60.]

AN ACT FOR REGULATING THE OPENING OF SLUICE WAYS, IN THE SEVERAL MILL-DAMS ON RIVER MEADOW BROOK IN THE TOWN OF CHELMSFORD, AND DISTRICT OF CARLISLE.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same that the owners of Mills on River Meadow Brook, so called, in the town of Chelmsford & District of Carlisle be, & they are hereby permitted to keep the sluice ways*

Owners of  
Mills allowed  
to shut sluice-  
ways.

in their respective Mill dams shut, such part of the time heretofore provided by law for keeping them open for the passage of fish up the said Brook as shall by the Selectmen of the town of Chelmsford & the Selectmen of the District of Carlisle for the time being, be judged will not prevent the passage of the fish up the said stream and most conducive to the public good — *Provided* the said Proviso. Selectmen of Chelmsford & Carlisle make their determination in writing under their hands, & such determination be kept constan[t]ly posted up in some conspicuous place at each of the Mills on the said Brook, any law to the contrary notwithstanding.      *Approved March 28, 1793.*





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RESOLVES  
OF  
MASSACHUSETTS.  
1792.

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RESOLVES

OF THE

GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUFFOLK*,  
ON WEDNESDAY THE THIRTIETH DAY OF  
*MAY*, ANNO DOMINI, 1792.

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BOSTON:  
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M,DCC,XCII.

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# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

TOGETHER WITH THE SPEECHES, &c. OF HIS EXCEL-  
LENCY THE GOVERNOUR TO THE SAID COURT:

BEGUN AND HELD AT BOSTON, IN THE COUNTY OF SUFFOLK, ON WEDNESDAY THE THIRTIETH DAY OF MAY,  
ANNO DOMINI, 1792.

His Excellency JOHN HANCOCK, Esq ;  
Governour.

His Honour SAMUEL ADAMS, Esq ;  
Lieutenant-Governour.

### COUNSELLORS,

Honourable Samuel Holten,	Honourable William Shepard,
Moses Gill,	Edward Cutts,
Azor Orne,	Eleazer Brooks,
Thomas Durfee,	James Warren, Es-
Oliver Wendell,	quires.

*The following are the names of the Gentlemen who compose the two  
Branches of the GENERAL COURT, viz.*

### SENATORS,

Hon. SAMUEL PHILLIPS, Esq. President.

#### *County of SUFFOLK.*

Hon. Stephen Metcalf,  
Thomas Dawes,  
William Heath,  
Benjamin Austin, jun.  
Ebenezer Thayer, jun. Es-  
quires.

#### *County of ESSEX.*

Hon. Samuel Phillips,  
Stephen Choate,  
Theophilus Bradbury,  
Peter Coffin, Esquires.

#### *County of MIDDLESEX.*

Hon. Ebenezer Bridge,  
Joseph Hosmer,  
Joseph B. Varnum,  
Samuel Dexter, jun. Es-  
quires.

#### *County of HAMPSHIRE.*

Hon. Samuel Lyman,  
Samuel Fowler,  
John Hastings,  
Simeon Strong, Esquires.

## RESOLVES, 1792.—MAY SESSION.

*SENATORS—Concluded.**County of PLYMOUTH.*

Hon. Daniel Howard,  
Isaac Thompson,  
Josiah Smith, Esquires.

*County of YORK.*

Hon. Nathaniel Wells,  
Simon Fry, Esquires.

*County of BRISTOL.*

Hon. Walter Spooner,  
Elisha May, Esquires.

*County of CUMBERLAND.*

Hon. Peleg Wadsworth, Esquire.

*County of BARNSTABLE.*

Hon. Solomon Freeman, Esquire.

*DUKE'S-COUNTY and NANTUCKET.*

Hon. Peleg Coffin, jun. Esquire.

*LINCOLN, HANCOCK and WASHINGTON.*

Hon. Daniel Cony, Esquire.

*County of WORCESTER.*

Hon. Abel Wilder,  
Samuel Baker,  
Jonathan Warner,  
Timothy Newell, Esquires.

*County of BERKSHIRE.*

Hon. Thompson J. Skinner,  
Elijah Dwight, Esquires.

*MEMBERS OF THE HOUSE OF REPRESENTATIVES.*

Honourable DAVID COBB, Esq. Speaker.

*County of SUFFOLK.*

*BOSTON.* { William Tudor, Esq.  
Samuel Breck, Esq.  
Jonathan Mason, Esq.  
Charles Jarvis, Esq.  
John C. Jones, Esq.  
William Eustis, Esq.  
Joseph Blake, Esq.  
Thomas Edward, Esq.  
*Roxbury*, John Read, Esq.  
*Dorchester*, Benjamin Hichborn,  
Esq.  
Mr. John Howe.  
*Milton*, Edward H. Robbins, Esq.  
*Weymouth*, Nathaniel Bayley,  
Esq.  
*Hingham*, Col. Charles Cushing,  
*Cohasset*, Thomas Lothrop, Esq.

*Dedham*, Nathaniel Ames, Esq.  
Mr. Nathaniel Kingsbury,  
*Brookline*, Mr. John Goddard,  
*Medfield & Dover*, Mr. Oliver Ellis,  
*Stoughton*, Col. Frederick Pope,  
*Medway*, Mr. Moses Richardson,  
jun.  
*Walpole*, Seth Bullard, Esq.  
*Wrentham*, Mr. Nathan Comstock,  
*Franklin*, Mr. Hezekiah Fisher,  
*Bellingham*, Mr. Aaron Holbrook,  
*Foxborough*, Mr. John Everett,  
*Chelsea*, Capt. John Sale, jun.  
*Sharon*, Mr. Joseph Hewins,  
*Quincey*, Peter Boylston Adams,  
Esq.

*County of ESSEX.*

*Salem*, Samuel Ward, Esq.  
Ebenezer Beckford, Esq.  
John Saunders, jun. Esq.  
John Fiske, Esq.  
John Hathorne, Esq.

*Newbury Port*, Mr. Enoch Titcomb, jun.  
Stephen Cross, Esq.  
Mr. John Mycall,

## REPRESENTATIVES — Continued.

## County of ESSEX — Concluded.

<i>Newbury</i> , Mr. Nathaniel Emery, Mr. Silas Little.	<i>Gloucester</i> , Capt. William Pearson, John Low, Esq.
<i>Ipswich</i> , John Manning, Esq. Mr. John Heard, Jonathan Cogswell, Esq. Elisha Whitney, Esq.	<i>Haverhill</i> , Capt. Francis Carr, <i>Lynn &amp; Lynnfield</i> , Ezra Collins, Esq.
<i>Andover</i> , Joshua Holt, Esq. <i>Bradford</i> , Peter Russell, Esq. <i>Beverly</i> , Larkin Thorndike, Esq. Mr. Joseph Wood, Mr. John Cabot,	<i>Rowley</i> , Capt. Thomas Mighill, <i>Salisbury</i> , Major Joseph Page, <i>Amesbury</i> , Mr. Joseph Wingate, <i>Boxford</i> , Thomas Perley, jun. Esq.
<i>Danvers</i> , Israel Hutchinson, Esq. <i>Marblehead</i> , Samuel Sewall, Esq. William R. Lee, Esq. Marston Watson, Esq.	<i>Methuen</i> , Capt. John Davis, <i>Wenham</i> , Major Billy Porter, <i>Topsfield</i> , Mr. Silvanus Willes,

## County of MIDDLESEX.

<i>Cambridge</i> , Stephen Dana, Esq. <i>Charlestown</i> , Richard Devens, Esq.	<i>Weston</i> , Mr. Amos Bigelow, <i>Medford</i> , Capt. Ebenezer Hall, <i>Westford</i> , Zacheus Wright, Esq.
<i>Watertown</i> , Amos Bond, Esq. <i>Woburn</i> , Samuel Thomson, Esq. <i>Concord</i> , Mr. Jonathan Fay, <i>Newtown</i> , Doctr. John King, <i>Reading</i> , Mr. Benjamin Upton, <i>Marlborough</i> Col. Edward Barnes, <i>Billerica</i> , Edward Farmer, Esq. <i>Framingham</i> , Jonathan Maynard, Esq.	<i>Waltham</i> , Mr. Abner Sanderson, <i>Stow &amp; Boxborough</i> , Mr. Charles Whitman, <i>Groton</i> , Major Aaron Brown, <i>Pepperell</i> , Joseph Heald, Esq. <i>Townsend</i> , Mr. Jonathan Wallis, <i>Draeut</i> , Parker Varnum, Esq. <i>Acton &amp; Carlisle</i> , Mr. Jonas Brooks,
<i>Lexington</i> , Mr. Joseph Simonds, <i>Chelmsford</i> , Major John Minot, <i>Sherburne</i> , Daniel Whitney, Esq. <i>Sudbury</i> , William Rice, Esq. <i>Malden</i> , Capt. Isaac Smith,	<i>Lincoln</i> , Mr. Samuel Hoar, <i>Wilmington</i> , Col. William Blanchard, <i>Tewksbury</i> , Mr. Mitchell Davis, <i>Littleton</i> , Sampson Tuttle, Esq.

## County of HAMPSHIRE.

<i>Springfield</i> , Moses Bliss, Esq. <i>West Springfield</i> , Justin Ely, Esq. <i>Wilbraham</i> , John Bliss, Esq. <i>North Hampton &amp; East Hampton</i> , } Samuel Hen- shaw, Esq. <i>Amherst</i> , Capt. Moses Cook, jun. <i>Williamsburg</i> , William Bodman, Esq.	<i>New Salem</i> , Capt. Ezekiel Kellogg, jun. <i>Ashfield</i> , Mr. Ephraim Williams, <i>Worthington</i> , Nahum Eager, Esq. <i>Monson</i> , Col. Reuben Munn, <i>Pelham</i> , Mr. Adam Clark, <i>Hadley</i> , Capt. Charles Phelps, <i>Palmer</i> , David Shaw, Esq. <i>Northfield</i> , Mr. Obadiah Dickin- son,
<i>Westfield</i> , William Shepard, Esq. Mr. John Phelps, <i>Deerfield</i> , Mr. Jonathan Hoit, <i>Conway</i> , William Billings, Esq. <i>Sunderland</i> , Mr. Giles Hubbard, <i>Brimfield</i> , Joseph Browning, Esq.	<i>Belchertown</i> , Mr. Park Holland, <i>Colrain</i> , Hugh McClellan, Esq. <i>Charlemon</i> , Mr. Abel Wilder. <i>Shelburne</i> , Capt. Benjamin Nash,

## REPRESENTATIVES — Continued.

## County of HAMPSHIRE — Concluded.

<i>Southwick</i> , Isaac Coit, Esq.	<i>Warwick &amp; Orange</i> , John Golds-
<i>Granville</i> , Col. Timothy Robin-	bury, Esq.
son,	<i>Blanford</i> , Mr. Reuben Boies,
<i>Greenfield</i> , David Smead, Esq.	<i>Bernardston &amp; } Mr. Hezekiah</i>
<i>Greenwich</i> , Mr. James Fiske,	<i>Leydon</i> , } Newcomb,
<i>South Hampton</i> , Lemuel Pom-	<i>Buckland</i> , Samuel Taylor, Esq.
eroy, Esq.	<i>Long Meadow</i> , Mr. Jabez Colton,
	<i>Hatfield</i> , Mr. Benjamin Smith.

## County of PLYMOUTH.

<i>Plymouth</i> , John Davis, Esq.	<i>Plympton</i> , Mr. Gideon Bradford,
<i>Scituate</i> , Capt. Elijah Turner,	jun.
Mr. Hayward Pierce,	<i>Pembroke</i> , Capt. John Turner, jun.
<i>Duxbury</i> , Gamaliel Bradford,	<i>Kingston</i> , Ebenezer Washburn,
Esq.	Esq.
<i>Marshfield</i> , Capt. Joseph Bryant,	<i>Abington</i> , Capt. Luke Bicknell,
<i>Bridgewater</i> , Beza Hayward, Esq.	<i>Hanover</i> , Mr. Melzer Curtis,
<i>Middleborough</i> , James Sprout,	<i>Halifax</i> , Ebenezer Thomson, Esq.
Esq.	<i>Wareham</i> , David Nye, Esq.
<i>Rochester</i> , Col. Ebenezer White,	<i>Carver</i> , Francis Shurtliff, Esq.

## County of BARNSTABLE.

<i>Barnstable</i> , Capt. Samuel Smith,	<i>Wellfleet</i> , Samuel Waterman, Esq.
<i>Sandwich</i> , Joseph Nye, Esq.	<i>Truro</i> , Mr. Anthony Snow, jun.
<i>Yarmouth</i> , David Thacher, Esq.	<i>Falmouth</i> , Capt. David Nye,
<i>Eastham</i> , Elijah Knowles, Esq.	<i>Chatham</i> , Mr. Richard Sears,
<i>Harwich</i> , Mr. Kimbal Clark,	
Joseph Snow, Esq.	

## County of BRISTOL.

<i>Taunton</i> , Hon. David Cobb, Esq.	<i>Dighton</i> , Mr. Thomas S. Baylies,
<i>Rehoboth</i> , Hon. Phannuel Bishop,	<i>Freetown</i> , Mr. Ephraim Winslow,
Esq.	<i>Raynham</i> , Josiah Dean, Esq.
<i>Swansey</i> , Christopher Mason,	<i>Easton</i> , Colo. Abiel Mitchell,
Esq.	<i>Mansfield</i> , Mr. Benjamin Bates,
<i>Dartmouth</i> , Hon. Holder Slocum,	<i>Berkley</i> , Samuel Tobey, Esq.
Esq.	<i>Westport</i> , Mr. William Almy,
<i>Norton</i> , Seth Smith, jun. Esq.	<i>Somerset</i> , Jerathmeel Bowers,
<i>Attleborough</i> , Major Ebenezer	Esq.
Tyler,	

## County of YORK.

<i>York</i> , Capt. Joseph Tucker,	<i>Pepperellborough</i> , Dr. Josiah
<i>Kittery</i> , Mr. Mark Adams,	Fairfield,
<i>Wells</i> , John Storer, Esq.	<i>Buxton</i> , Mr. John Woodman,
<i>Berwick</i> , Ichabod Goodwin, Esq.	<i>Lebanon</i> , Mr. Thomas Millet
<i>Arundell</i> , Capt. Jacob Wilds,	Wentworth,
<i>Biddeford</i> , Colo. Joseph Morrill,	<i>Fryeburg</i> , Simon Frye, Esq.

## County of DUKE'S COUNTY.

<i>Edgarton</i> , William Jernigan, Esq.	<i>Chilmark</i> , Benjamin Bassett, Esq.
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REPRESENTATIVES — *Continued.**County of NANTUCKET.*

Sherburne, Mr. Micajah Coffin,

*County of WORCESTER.*

Worcester, Capt. Samuel Flagg,  
 Lancaster, Capt. Ephraim Carter,  
 jun

Mendon, Benjamin Read, Esq.  
 Brookfield, Thos. Hale, jun., Esq.  
 Oxford, Capt. Jeremiah Learned,  
 Charlton, Salem Towne, Esq.  
 Sutton, Solomon Leland, Esq.

Leicester, Col. Thomas Denny,  
 Spencer, Mr. James Hathaway,  
 Rutland, William Caldwell, Esq.  
 Oakham, Capt. Joseph Chaddock,  
 Hubbardston, William Marean,  
 Esq.

New Braintree, Benjamin Joss-  
 lyn, Esq.

Southborough, Elijah Brigham,  
 Esq.

Northborough, Mr. Isaac Davis,  
 Shrewsbury, Major Jonah Howe,  
 Lunenburg, Josiah Stearns, Esq.  
 Capt. John Fuller,

Fitchburg, Mr. Daniel Putnam,  
 Uxbridge, Mr. Nathan Tyler,  
 Sturbridge, Mr. Josiah Walker,  
 Hardwick, Martin Kinsley, Esq.  
 Western, Danforth Keyes, Esq.  
 Lcominster, Capt. Timothy Boutel,  
 Holden, Mr. John Dodds,  
 Douglass, Mr. Aaron Marsh,  
 Grafton, Colo. Luke Drury,  
 Petersham, Daniel Biglow, Esq.  
 Royalston, Mr. Oliver Work,  
 Athol, Mr. Josiah Goddard,  
 Templeton, Capt. Joel Fletcher,  
 Princeton, Hon. Moses Gill, Esq.  
 Ashburnham, Mr. Jacob Willard,  
 Upton, Col. Ezra Wood,  
 Dudley, Capt. John Chamberlain,  
 Barre, Mr. John Black,  
 Milford, Major Samuel Jones,  
 Stirling, Mr. Edward Raymond,  
 Boylston, Mr. Jonas Temple,

*County of CUMBERLAND.*

Falmouth, Joseph Noyes, Esq.

Portland, Mr. John Fox,

Daniel Davis, Esq.

North Yarmouth, Mr. William  
 Martin,

Scarborough, William Thomp-  
 son, Esq.

Gorham, Hon. Josiah Thacher,  
 Esq.

Stephen Longfellow, Esq.

Cape-Elizabeth, Mr. Barzillai  
 Delano,

Brunswick, Capt. John Peterson,

Harpswell, Isaac Snow, Esq.

New Gloucester, William Wedg-  
 ery, Esq.

Freeport, John Cushing, Esq.

*County of LINCOLN.*

Pownalborough, John Gardiner,  
 Esq.

David Sylvester, Esq.

Georgetown, Mr. Jordan Parker,

Newcastle, Major John Farley,

Woolwich, Nathaniel Thwing, Esq.

Topsham, Hon. Samuel Thomson,  
 Esq.

Boothbay, William McCobb, Esq.  
 Fassalborough, Mr. Charles Web-  
 ber,

Winstow, George Warren, Esq.

Winthrop & Readfield, Robert  
 Page, Esq.

Thomaston, Mr. Samuel Brown,

Bath, Francis Winter, Esq.

Pittston, Jedediah Jewett, Esq.

Cushing, John McKilles, Esq.

Hallowell, Mr. Nathaniel Dum-  
 mer.



## REPRESENTATIVES—Concluded.

## County of BERKSHIRE.

<i>Sheffield &amp; Mount</i>	} Mr. John Hubbard,	<i>Lenox</i> , Caleb Hyde, Esq.
<i>Washington,</i>		<i>Stockbridge</i> , Hon. Timothy Edwards, Esq.
<i>Great Barrington,</i>	Thomas Ives, Esq.	<i>Egremont</i> , Mr. Nicholas Chace,
<i>Partridgefield,</i>	Ebenezer Pierce, Esq.	<i>Sandisfield</i> , John Picket, jun. Esq.
<i>New Marlborough,</i>	Obadiah Ward, Esq.	<i>Becket</i> , Nathaniel Kingsley, Esq.
<i>Williamston,</i>	Major William Young,	<i>Windsor</i> , Mr. Joshua Beals,
<i>Lanesborough &amp; New Ashford,</i>	Gideon Wheeler, Esq.	<i>Hancock</i> , Capt. Simeon Martin,
	William Starkweather, Esq.	<i>Richmond</i> , Nathaniel Bishop, Esq.
<i>Pittsfield,</i>	Capt. Danl. Hubbard,	<i>West Stockbridge</i> , Thomas Lusk, Esq.
	Timothy Childs, Esq.	
		<i>Adams</i> , Israel Jones, Esq.
		<i>Lee</i> , Capt. Josiah Gale.

## County of WASHINGTON.

*Machias*, Mr. Phineas Bruce.

## Chapter 1.

RESOLVE EMPOWERING HON. THOMAS DAWES, ESQ. TO PROVIDE VENTILATORS FOR THE HOUSE OF REPRESENTATIVES, AND SUITABLE LOBBIES AND TABLES.

*Resolved* that the honble. Thos. Dawes Esqr. be and he hereby is authorized and impowered to provide convenient Ventilators for the House of Represen[ta]tives and Gallery, and also an additional Lobby or Lobbies to gather with sutable Tables & Chairs for the accomo[da]-tion of the members of the Legislature and the dispatch of public business—and to lay his Account of expen[en]ces therefor before the Committe of Accounts for examination & allowance.

*June 5, 1792.*

## Chapter 2.

RESOLVE ON THE PETITION OF THE SELECTMEN OF EAST-HAMPTON.

On the Petition of the Selectmen of the District of East Hampton, for Reasons set forth in said Petition.

*Resolved* That the said Selectmen and the Clerk of said District be & they are hereby exempted from any Forfeiture to which they are or may be liable for not certifying and returning Votes for a Governour Lieutenant Governour and Senators the present Year—any Law or Resolve to the contrary notwithstanding. *June 5, 1792.*

**Chapter 3.**

## RESOLVE FOR THE APPOINTMENT OF ADDITIONAL NOTARIES PUBLIC.

*Resolved* that there Shall be elected, this present session of the General Court and annually hereafter, elected additional Notaries Public in ye following Counties and Towns, *vizt.* one in Haverhill & one in Beverly in the County of Essex, one in Concord one in Groton and one in Watertown, in the County of Middlesex, one in Springfield or West Springfield and one in Greenfield in the County of Hampshire, one in Brookfield one in Mendon one in Petersham and one in Sterling in the County of Worcester, one in Brunswick in ye County of Cumberland, one in Bath in the County of Lincoln, one in Pittsfield, in the County of Berkshire, one in Taunton in ye County of Bristol, one in Falmouth in ye County of Barnstable, one in Edgartown in the County of Dukes County, one in Situate in the County of Plymouth, and one in Goldsborough in the County of Hancock.

*June 7, 1792.*

**Chapter 4.**

## RESOLVE ON THE PETITION OF JOHN STONE AND JOHN HAVEN, GUARDIANS TO THREE CHILDREN OF ABIJAH HALL, DECEASED.

On the Petition of John Stone Guardian of Mary Hall and Elizabeth Hall minors and Children of Nathan Hall late of Winthrop in the County of Lincoln deceased intestate, and John Haven Guardian of Abijah Hall a minor and son of said deceased, said Minors being the only heirs at Law of said deceased praying leave to confirm or release to Samuel Foster, Timothy Branard, & Josiah French, their heirs & assigns forever, one certain Tract of Land lying within the Township of said Winthrop of One hundred & Fifty acres the proper Inheritance of said Minors, heretofore conveyed by John Freeland late Guardian of said Minors.

*Resolved* for reasons set forth in their said Petition, that the said John Stone & John Haven in their said capacity of Guardians of said Minors, are hereby empowered to confirm & release the Lands aforementioned to the said Samuel Foster, Timothy Branard, and Josiah French, their heirs & assigns forever; *provided* the said

Samuel Foster, Timothy Branard, & Josiah French, shall within one year from the date of this Resolve Severally pay their respective proportion of the sum of Two hundred and Ninety three pounds one shilling & two pence with lawful Interest from the 6th of November 1789 to the said John Stone, & John Haven as Guardians as aforesaid,—and *provided also*, that the said John Stone & John Haven, in their said capacity shall give Bond with sufficient Sureties to the Judge of Probate for the County of Middlesex for the faithfull Application of said sum & Interest to the Use of Said Minors according to Law.

*June 8, 1792.*

### Chapter 5.

RESOLVE AUTHORIZING SAMUEL BAKER, ESQ. AND OTHERS, TO SURVEY A CONVENIENT PLACE FOR A PUBLIC ROAD FROM BOSTON TO WORCESTER.

Whereas Samuel Baker, John Fessenden, & Josiah Stearns, Esqrs. were appointed a Committee by a Resolve of the General Court, passed the ninth of march, 1792, to ascertain by survey or otherwise, the shortest & most Eligible Roads from the Town of Boston to the Town of Worcester, & the Expediency of altering the present Established Post Road between said Towns & to report at the present setting of the General Court;— & whereas said Committe have been necessarily Prevented from performing said service within the time limited :

*Resolved* that the aforesaid Samuel Baker, John Fessenden, & Josiah Stearns, Esqrs. be, & they hereby are, authorised & Empowered, to ascertain by survey or otherwise, the shortest & most Convenient Place for a Publick Road, from the Town of Boston, to the Town of Worcester, & also to consider the expediency, of altering the present Established Post road, between said Towns: & to make report of their doings to the General Court, at their next Session.

*June 8, 1792.*

### Chapter 6.

RESOLVE ON THE PETITION OF JOSIAH DANA, IN BEHALF OF WILLIAM CALDWELL, THE 3<sup>d</sup>.

Upon the Petition of Josiah Dana in the behalf of William Caldwell the third and Submit Caldwell.

*Resolved* that the Judge of Probate for the County of

Worcester be and he hereby is Empowered to reexamine and again settle the Accounts of John Caldwell Esquire which on the first day of June in the year 1788 were settled by the Judge of probate for the said County, (being exhibited by the said John as Guardian to James Caldwell and Anna Caldwell), in the same manner as if the same Accounts had never been allowed by the Judge of Probate, and that such Proceedings be had on the Guardianship Accounts of the said John as Guardian to the said James and Anna as there might be if no Accounts of the said Guardianship had been settled. *June 8, 1792.*

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### Chapter 7.

RESOLVE DIRECTING THE TREASURER TO PAY MARY LINCOLN THE INTEREST DUE ON THE NOTES IN HER POSSESSION.

On the petition of Mary Lincoln, widow, daughter of the late Hon. James Otis deceased, praying that she may receive the interest on her moiety of money loaned to this Commonwealth prior to the year 1775.

*Resolved* that the treasurer be & hereby is directed to pay to the said Mary Lincoln all the arrears of interest which are now due on the aforesaid note or notes in her possession the said note or notes amounting to the sum of One thousand One hundred & Sixteen Pounds, and to discharge the interest in future annually on the said note or notes as the same shall become due, out of any monies in his hands not otherwise appropriated. *June 8, 1792.*

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### Chapter 8.

RESOLVE ON THE PETITION OF THE SELECTMEN OF NORTON.

On the Petition of the Selectmen of ye Town of Norton Shewing that ye Committee on Accounts at the last Session of the General Court did not reimburse them their reasonable expences in Supporting Two of the Poor of the said Commonwealth named in said petition with their families and praying for a further Allowance of the sum of Ten pounds nineteen Shillings & Ten pence.

*Resolved* that ye prayer of ye sd. Petition, be so far granted, that ye Committee on Accounts, be and they hereby are Authorized and directed to reexamine the Accounts of the said Selectmen & make them such further

Allowance as to said Committee Shall appear Just & Reasonable, any Law or resolve to the Contrary Notwithstanding.  
*June 9, 1792.*

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### Chapter 9.

RESOLVE ON THE PETITION OF RICHARD AND ZEBINA MONTAGUE, DISCHARGING NATHANIEL MONTAGUE OF A FINE.

On the Petition of Richard Montague and Zebina Montague praying that Nathaniel Montague may be discharged from a fine inflicted on him for passing Counterfit Money.

*Resolved* for reasons Set forth in Said Petition that the Said Nathl. be discharged from Said fine upon his paying all Cost that has arisen on the prosecution against him, & that the Sum of Sixty pounds, (being the fine) be Credited to Elisha Porter Esqr. Sheriff of the County of Hampshire in his Settlement with the Justices of the Supreme Judicial Court, for fines.  
*June 9, 1792.*

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### Chapter 10.

RESOLVE AMENDING THE LIST FOR TAKING A VALUATION, AND DIRECTING THE SECRETARY TO FORWARD A COPY TO THE SEVERAL TOWNS, DISTRICTS AND PLANTATIONS.

Whereas in the Act for enquiring into the Ratable Estates within this Commonwealth, passed in the last Session of the Legislature, the Article of "Monies at Interest more than any Creditor pays interest for," is among other things required to be returned; but in the List for the valuation, making a part of the same Act, that Article is not enumerated and in consequence of it, mistakes may happen in the returns which are to be made pursuant to the said Act, therefore

*Resolved*, that the said Article of "Monies at Interest more than any Creditor pays interest for," shall be returned and set forth in the Lists to be made and returned pursuant to the said Act, according to the true intent thereof, the omission aforesaid notwithstanding.

And be it further *Resolved*, that the Secretary shall as soon as may be transmit a Copy of this Resolve to the Assessors of the several Towns, districts & Plantations within this Commonwealth; who are also hereby required to return the Number of Steers and Cows of three years



old & upwards — the error in the lists directing a return of Steers and Cows of four years old & upwards notwithstanding.  
*June 9, 1792.*

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### Chapter 11.

RESOLVE ON THE PETITION OF THOMAS ROBINSON AND OTHERS,  
 FOR BUILDING A BRIDGE OVER FORE RIVER.

On the petition of Thomas Robinson and others for building a bridge Over Fore river, from said Robinson warft to Cape Elisabeth.

*Resolved* that the prayer of said Petition be so far granted that Ichabod Goodwin Josiah Thatcher & Wm. Wedgery Esqrs., appointed by agreement of the parties, be a committee to view the Harbour & river with the place proposed for building said bridge, and report the most suitable place for Erecting a bridge; to accommodate the towns adjacent and the public at large; at the next sitting of the General Court — the committee to be paid by the petitioners.  
*June 9, 1792.*

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### Chapter 12.

RESOLVE ON THE PETITION OF ELIJAH BROWN, ESQ APPOINTING NATHANIEL BISHOP, THOMAS LUSK & CALEB HYDE, ESQRS. TO INQUIRE INTO THE FACTS STATED IN HIS PETITION.

On the Petition of Elijah Brown Esquire, setting forth that by the running of the Line between this Commonwealth and the State of New-York in the year 1787, a tract of about thirty Acres of Land, of which he was seised by virtue of a Grant of the Legislature of this Commonwealth, lying as was supposed in the Town of Richmond; is found to be within the State of New York, and praying for a Compensation for the loss of said Land, by a grant of unlocated Lands in West Stockbridge.

*Resolved* that Nathl. Bishop Thomas Lusk & Caleb Hyde Esqrs. be a Committee to repair to the said Towns of Richmond and West Stockbridge, at the expence of the Petitioner to examine into the facts set forth in the said Petition, and Report to the next or some future Sessions of the General Court.  
*June 11, 1792.*

**Chapter 13.**

RESOLVE ON THE PETITION OF THE SELECTMEN OF WEST SPRINGFIELD.

On the Petition of the Selectmen of West Springfield.

*Resolved* That the Committe on Accounts be and they hereby are empowered and directed to examine and allow, as far as they shall think just and reasonable the Accounts exhibited by the said Selectmen against the Commonwealth for the Support of two of the Commonwealth's poor, any Law or resolve to the contrary notwithstanding.

*June 11, 1792.*

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**Chapter 14.**

RESOLVE ON THE PETITION OF LEVI WHITNEY, EMPOWERING HIM TO RE-ENTER AN ACTION V'S. JAMES LYMAN, AT THE COURT OF COMMON PLEAS, IN THE COUNTY OF HAMPSHIRE.

Upon the Petition of Levi Whitney.

*Resolved* that the Court of Common Pleas next to be held at Northampton within and for the County of Hampshire on the first tuesday of September next be and the same is hereby empowered and directed to suffer the said Levi Whitney to re-enter an Action against the said James Lyman wherein Judgment was given against the said Whitney at a Court of Common pleas held within and for the same County on the second tuesday of February in the year of our Lord one thousand seven hundred and Eighty three; and the said Court so to be holden are hereby fully empowered and authorized to hear the parties upon the report of Referees upon which the same Judgment was given in the same manner as if no Judgment had been given thereon and as if the same cause wherein the same was given had been duly continued from Term to term unto the said Court to be holden in September next any proceedings therein had to the contrary notwithstanding.

*June 11, 1792.*

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**Chapter 15.**

RESOLVE DIRECTING THE COMMITTEE ON ACCOUNTS TO RECORD ALL ACCOUNTS EXHIBITED FOR THE SUPPORT OF THE COMMONWEALTH'S POOR AND FOR MILITIA DUTY.

*Resolved*, That the Committee on accounts be, and they are hereby directed, to record in a book, all the accounts

examined and allowed by them relating to the Militia and States Poor severally in a page or pages by themselves; in order, that the General Court may at one view see the aggregate amount of the annual expence of each of the foregoing description of charges. And that when the above accounts are exhibited to the General Court for their information and approbation by the said Committee, the accounts of the States Poor shall be arranged alphabetically as nearly as may be according to the Towns who make their demands. And the militia accounts shall be arranged agreeably to the several military divisions in the Commonwealth.

*June 12, 1792.*

### Chapter 15A.\*

ORDER ON THE PETITION OF NATHAN MERRIAM AND JONATHAN WHITCOMB.

On the petition of Nathan Merriam and Jonathan Whitcomb.

*Ordered* that the petitioners notify the inhabitants of the town of Gardner, by serving the Clerk of said town with a copy of said petition with this order thereon thirty days before the second wednesday of the next session of the General Court, that they may then and there appear and shew cause if any they have why the prayer of said petition should not be granted.

*June 12, 1792.*

### Chapter 16.

RESOLVE ON THE PETITION OF THE SELECTMEN OF LENOX REFERRING THEIR ACCOUNT FOR SUPPORTING MARTHA ST JOHN, TO THE COMMITTEE ON ACCOUNTS.

On the Petition of the Selectmen of the Town of Lenox — praying Compensation for expenses incurred by said Town in supporting Martha St John, supposed to be one of the poor of the Commonwealth.

*Resolved*, that the said Petition with the Accounts & papers accompanying it, be referred to the Committee on Accounts, and that the said Committee be authorised to allow the whole of the said Accounts that they shall find to be just Charges against the Commonwealth, the delay

\* Not printed in previous editions. Taken from court record.

of exhibiting their Accounts in due time, or any Law or Resolve of the Commonwealth to the contrary notwithstanding.

*June 13, 1792.*

### Chapter 17.

RESOLVE ON THE PETITION OF THOMAS BREWER, AND HANNAH, HIS WIFE.

On the petition of Thomas Brewer, and Hannah Hamock Brewer his wife, praying that a certain House & Land with their appurtenances situate in the Town of Boston, & which on the 19th of Feby. 1791 was purchased by Andrew Cazneau Esqr. an Alien, Father of the said Hannah, of the Heirs of Sarah Green, may be confirmed, & vested in the said Hannah; it appearing that the said Andrew purchased the same, for a marriage portion for his only Child the said Hannah, but took the Deed for the same in his own name, & hath since deceased.

*Resolved* That the Commonwealth doth hereby release to the said Hannah, all Estate, Title & Interest in the premises, which did accrue to the said Commonwealth, by reason of the said Andrew Cazneau being an Alien, at the time of his purchasing the same as Aforesaid.

*June 12, 1792.*

### Chapter 17A.\*

ORDER ON THE PETITION OF JESSE RUSSELL.

On the petition of Jesse Russell praying for relief in a certain case mentioned in his petition.

*Ordered*, that the petitioner cause a copy of his said petition and of this order thereon to be published in the Boston Chronicle, three weeks successively, between the date hereof and the second wednesday of the next setting of the General Court, that [that] any person or persons may appear on the said day and shew cause, if any there be, why the prayer of the said petition should not be granted.

*June 13, 1792.*

### Chapter 18.

RESOLVE ON THE PETITION OF JACOB HART.

On the Petition of Jacob Hart setting forth that his wages as a Serjeant in the Continental Army has been drawn by a forged order.

\* Not printed in previous editions. Taken from court record.

*Resolved* that the Treasurer of this Commonwealth be & he hereby is directed to issue to Jacob Hart or to his order three notes of the same tenor & date with three which appear to have been drawn by a forged Order in favor of John White, Subscribed by the Name of Jacob Hart, which Notes were of the following description and for the following Sums — *Vizt.* No. 1189 dated Jany. 1782 payable in 1784 for twenty three Pounds 6/5 — No. 1302 dated Jany. 1782 payable in 1785 for twenty three Pounds 6/5 — & No. 1237 dated Jany. 1782 payable in 1786 for twenty three Pounds Six shillings & five pence.

*June 14, 1792.*

### Chapter 19.

RESOLVE ON THE PETITION OF JOSEPH RUSSELL, AUTHORIZING THE COMMITTEE ON ACCOUNTS TO EXAMINE THE ACCOUNTS OF THE PETITIONERS.

On the Petition of Joseph Russell of New Bedford.

*Resolved* that the Committee on Accounts be and hereby are Authorised and Directed to Examine the Account of the Petitioner and to make him Such allowance as to Justice Shall appertain any law or Resolve to the Contrary Notwithstanding.

*June 14, 1792.*

### Chapter 20.

RESOLVE ON THE PETITION OF JOHN SPRAGUE, ESQ. SHERIFF OF THE COUNTY OF WORCESTER.

On the Petition of John Sprague Esqr. praying that Treasurer Hogdon may be permitted to receive of the Said Sprague State Notes amounting to ye sum of two hundred and Ninety one pound one shilling and two pence, in lieu of army notes due from said Sprague.

*Resolved*, that the said Treasurer Hodgdon or his Successor in that Office be & he hereby is permitted to receive State Notes of the sd. Sprague to the amount of the said sum of two hundred and Ninety one pounds one shilling and two pence in lieu of the same sum of said Army Notes, allowing the Interest on the said State Notes untill the third wednesday of Jany. A. D. 1791. (& No longer) as part of the same sum of two hundred & ninety one pounds one shilling & two pence, and that his accounting for the same sum in State Notes shall operate in the same manner as accounting for the army Notes.

*June 15, 1792.*



**Chapter 21.**

## RESOLVE ON THE PETITION OF ELEAZER JOHNSON.

On the petition of Eleazer Johnson.

*Resolved* That there be allowed and paid out of the publick Treasury to Eleazer Johnson fourteen pounds Six shillings & three pence being the Balance due to him on the Books of the late Board of War — and John Deming Esq. is hereby directed to Balance the Account of said Johnson in the Books aforesaid.

And Whereas it appears that the members of said Board have Credit on the Books aforesaid, for their time and attendance, and it appearing probable that the several sums for which they have Credit have been allowed them by the Committee on Accounts :

*Resolved* That John Deming Esqr. be and he hereby is directed to examine the accounts that have been allowed by the Committee on accounts, and, if he shall find that the members of said Board of War have been paid for their services, to Balance their accounts in the Books aforesaid.

*June 16, 1792.*

**Chapter 22.**

## RESOLVE ON THE PETITION OF THE PROPRIETORS OF PLANTATION NO. 2, ON THE EAST SIDE OF PENOBSCOT RIVER.

On the memorial of the proprietors of plantation Number two on the East side Penobscot River.

*Resolved* that the doings & proceedings of the proprietors of Township Number two East side Penobscot River, & the Record made by their Clerk from time to time be & hereby are confirmed, and rendered as valid to all intents, as though the Clerk aforesaid had been duly sworn, the omission thereof notwithstanding.

*June 16, 1792.*

**Chapter 23.**

## RESOLVE ON THE PETITION OF EBENEZER THAYER, ESQUIRE.

On the Petition of Ebenezer Thayer Esquire.

*Resolved* that there be paid out of the Treasury of this Commonwealth, to the said Ebenezer Thayer Esquire, the sum of five pounds one shilling & four pence, the same sum being now due to him for his se[r]vice as a member

of the honble. Co[n]cil for the year of our Lord 1776 as appears by the Pay Roll in the Treasurers Office; and the Treasurer of the said Commonwealth is hereby directed to govern himself accordingly. *June 16, 1792.*

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### Chapter 24.

RESOLVE ON THE PETITION OF ELISHA PORTER, ESQ.

On the Petition of Elisha Porter Esqr. Sheriff of the County of Hampshire praying for liberty to pay into the Treasury part of the balance due from him on executions for collecting Taxes prior to tax No. 6 — And for a longer time to pay the residue.

*Resolved* That the Treasurer of this Commonwealth be, & He is hereby empowered & directed to receive of the said Elisha Porter Esqr. a Sum not less than one hundred & fifty pounds in part of the balance due from him as aforesaid, in the consolidated notes of this Commonwealth, computing the Interest that shall be due thereon.

And it is further *Resolved* That the said Elisha Porter Esqr. be & He is hereby allowed the term of four months from the date hereof to compleat & pay into the Treasury the whole of the remaining balance due on executions as aforesaid, prior to Tax No. 6. And the Treasurer is hereby directed to receive the same in the consolidated Notes of this Commonwealth computing the Interest on the remaining balance, from the passing of this Resolve. And the Treasurer is further empowered to receive the remaining balance in different payments; *Provided* He receives not less than one hundred pounds at a time.

*June 16, 1792.*

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### Chapter 25.

RESOLVE ON THE PETITION OF SAMUEL THACHER, GRANTING HIM 40s.

On the Petition of Samuel Thacher.

*Resolved*, for the reasons Set forth in Said petition, that their be allowed and paid out of the Treasury of this Commonwealth, the Sum of forty Shillings to the Said Samuel Thacher in full for his Services as a Soldier in the late Continental Army. *June 16, 1792.*

**Chapter 26.**

RESOLVE ON THE PETITION OF EBENEZER WILLIAMS, EMPOWERING THE JUDGE OF PROBATE, OF BRISTOL COUNTY, TO RE-EXAMINE AN ACCOUNT EXHIBITED BY JONATHAN INGALLS, GUARDIAN OF ELKANAH RICHMOND.

Upon the Petition of Ebenezer Williams.

*Resolved* that the Judge of Probate for the County of Bristol be and he hereby is impowred to reexamine an account Exhibited by Jonathan Ingalls Guardian of Elkanah Richmond and allowed by the Judge of Probate for said County, on the fourth day of September in the year of our Lord 1787 and to finally settle the said Jonathans account of Guardianship aforesaid in the same manner as if no account had ever been settled or allowed, the settlement of said account on the fourth day of September 1787 Notwithstanding.

*June 16, 1792.*

**Chapter 27.**

RESOLVE ON THE PETITION OF JOSEPH HENDERSON, ESQ.

Upon the Petition of Joseph Henderson of Dorchester in the County of Suffolk Esquire praying that he may be discharged from a Judgment & Execution thereon now against him in favor of this Commonwealth.

*Resolved* that for the Reasons set forth in said Petition the Prayer thereof be granted, and that the Judgment & Execution referred to in said Petition rendered by & issued from the Supreme Judicial Court at their Sessions held at Cambridge within & for the County of Middlesex on the last Tuesday of October last past for the sum of forty pounds debt in favor of said Commonwealth against said Joseph be cancelled and discharged by the Attorney General who hereby is empowered & directed to acknowledge in due form of Law said Judgment to be satisfied — said Joseph paying the Costs attending the prosecution of said Suit.

*June 16, 1792.*

**Chapter 28.**

RESOLVE ON THE PETITION OF ELISHA STORY, ADMINISTRATOR OF THE ESTATE OF ABIEL RUDDOCK, DECEASED.

On the petition of Elisha Story Administrator of the Estate of Abiel Ruddock deceased.

*Resolved*, That the Judge of probate for the County of

Suffolk be, and hereby is authorized to re-examine the Accounts of Elisha Story Administrator of the Estate of Abiel Ruddock deceased who was Administrator of the estate of John Ruddock deceased, exhibited and allowed by the Judge of probate for the said County on the 19th day of January 1789, and to proceed in the settlement of the said Accounts as to Law and Justice may appertain.

*June 18, 1792.*

### Chapter 29.

RESOLVE ON THE MEMORIAL OF WILLIAM SHEPHERD AND SAMUEL FOWLER, ESQRS. IN BEHALF OF WESTFIELD.

On the memorial of William Shepherd & Samuel Fowler for & on the behalf of the Town of Westfield, praying that the Said Town may be abated a short Return of a province Tax, made by the Assessors of said Town in the year 1771.

*Resolved*, for reasons set forth in their memorial, that the Sum of twenty four pounds one Shilling & eleven pence be, & the Same is, hereby abated, the said Town of Westfield, it being set upon said Town thro' mistake in the year 1771. Any Resolve to the contrary notwithstanding.

*June 18, 1792.*

### Chapter 30.

RESOLVE RELEASING AND CONVEYING TO ROBERT MORRIS, ESQ. ONE SIXTIETH PART OF THE TRACT OF LAND GRANTED TO NATHANIEL GORHAM AND OLIVER PHELPS, ESQRS. &c.

Whereas the General Court of the Commonwealth of Massachusetts upon the first day of april in the year of our Lord one thousand seven hundred and eighty eight by a certain Resolve of that Date did, agree to grant, sell and convey to Nathaniel Gorham and Oliver Phelps Esquires all the Right Title and demand which the said Commonwealth had in and to the Western Territory ceded by the state of New York to the Commonwealth by a deed executed by the Commissioners of the said state on the sixteenth day of December 1786 with such exceptions and Limitations as are expressed. As well in acts and proceedings of the said General Court as those of their agents and Committees; and whereas by a certain Indent-

ure of agreement, made between the said Commonwealth and the said Gorh[am] and Phelps on the ninth day of June in the year of our Lord one thousand seven hundred and ninety the said Gorham and Phelps reconveyed to the said Commonwealth a certain part of the same Territory according to the Conditions of the Same Indenture reference to the same being had. And whereas the said Commonwealth by Samuel Phillips Nathaniel Wells David Cobb William Eustis and Thomas Davis Esquires agents for that purpose especially appointed on the Eleventh day of may in the year of our Lord one thousand seven hundred and ninety one did sell and convey to Robert Morris Esqr. all and singular the right & Title which the said Commonwealth had to the same part of said territory so reconveyed by the said Gorham and Phelps to the said Commonwealth according to the tenor of the Deed for that purpose executed reference to the same being had, but reserving amongst other things one undivided sixtieth part of the same Tract so reconveyed by the said Gorham and Phelps as aforesaid, which same one sixtieth part was so reserved because the said Gorham and Phelps had previously contracted to convey the same to John Butler and [and] it being represented to this Court that Robert Morris of Philadelphia in the state of Pennsylvania Esquire has purchased the said Sixtieth part of the assigns of the said John Butler and he having Petitioned the General Court of the said Commonwealth for a release of the same from the Reservation aforesaid :

It is therefore *Resolved* that the said Commonwealth will and hereby doth release and convey to the said Robert Morris his heirs and assigns forever all the right title and Interest which the said Commonwealth hath or could have, by virtue of the same reconveyance of the said Gorham and Phelps or by virtue & force of the said reservation, to the said one undivided Sixtieth part of the said Tract reserved as aforesaid, so that he the said Robert Morris his heirs and assigns shall hold and enjoy the same in the same manner and to all such uses as the said Commonwealth could hold the same by virtue of the same reservation ; but the said Commonwealth doth not warrant the same against any claim which may arise by means of any conveyance from the said Gorham & Phelps or either of them or from any Person claiming under them or under either of them. *June 20, 1792.*



**Chapter 31.**

RESOLVE ON THE REPORT OF THE COMMITTEE FOR SETTLING THE LATE TREASURER IVERS'S ACCOUNTS DISMISSING THEM FROM THAT BUSINESS.

*Resolved* that the Report of the Committee appointed to Settle the accounts of the Late Treasurer Ivers be, and here by is accepted and that the Said Committee be and hereby are Discharged, — and that the Committee appointed to Settle the accounts of Treasurer Hodgdon are hereby Directed to Govern themselves accordingly.

*June 22, 1792.*

**Chapter 32.**

RESOLVE ON THE PETITION OF THE REV. SAMUEL WEST.

On the Petition of Revd. Saml. West.

*Resolved* that there be allowed and Paid out of the Treasury of this Commonwealth to Revd. Saml. West Nine Pounds in full for his Serving as Chaplain in the American Army in the year 1775.

*June 23, 1792.*

**Chapter 33.**

RESOLVE ON THE PETITION OF MOSES BARLOW, GRANTING HIM  
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On the Petition of Moses Barlow praying for allowance and payment for his Services as Capt. of the Schooner Lyon in the Year 1776 in the Service of this Commonwealth.

*Resolved* for reasons Set forth in sd. Petition that the prayer thereof be so far Granted that there be Allowed and payd. out of the public Treasury of this Commonwealth to the Sd. Moses Barlow the Sum of Eleven pounds five Shillings, (it being the amount of two months and half pay, which was the whole Time he was in Service previous to his being Made a prisoner,) which is in full for his Service as aforesaid.

*June 23, 1792.*

**Chapter 34.**

RESOLVE ON THE PETITION OF JOHN WHEELWRIGHT, EMPOWERING HIM TO COMMENCE SUITS IN LAW, IN THE NAME OF THE COMMONWEALTH, AGAINST THE POSSESSORS OF THE ESTATE LYING IN BELCHERTOWN.

On the Petition of John Wheelwright Admor. on his Father Nathaniel Wheelwright's Estate, praying that the

Commonwealth would authorize & impower him to commence suits in Law against the present Possessors of a certain Estate lying in Belchertown which was confiscated as the Estate of Charles Paxton, a Conspirator, & which by a Resolve of the General Court passed March 5th 1792 was released and given to the Petitioner in his Capacity aforesaid — therefore

*Resolved* That the said John Wheelwright, in his Capacity aforesaid be, and he hereby is, authorized and impowered to commence suits at Law, in the Name of this Commonwealth, but to his use in his Capacity aforesaid, and at his own Expense, against the present Possessors of the Estate aforesaid; and to prosecute the same to final Judgement and Execution, and under any Judgement which may be obtained thereon to take Seisin & possession thereof to the use aforesaid, with full power to substitute any one or more Attornies under him, for the purposes aforesaid.

*June 25, 1792.*

### Chapter 35.

RESOLVE ON THE PETITION OF THE SELECTMEN OF GEORGETOWN, DIRECTING THE TREASURER ON RECEIVING A CERTAIN SUM OF MONEY, TO MAKE A RECEIPT IN FAVOUR OF SAID TOWN'S PROPORTION OF TAX NO. 3.

On the Petition of the Select men of the Town of Georgetown, praying an Abatement of Taxes.

*Resolved*, for Reasons set forth in said Petition, that the Treasurer of this Commonwealth be and he hereby is directed, on receiving from said Town the Sum of One hundred and forty four pounds eight shillings & six pence, to make a Receipt in full of said Town's proportion of tax Number Three, granted in the year of our Lord 1783 and to credit the said Town accordingly.

*June 25, 1792.*

### Chapter 36.

RESOLVE DIRECTING MR. DEMING TO CERTIFY BALANCES DUE TO SEVERAL SOLDIERS.

*Resolved* that John Deming Esqr. Committee for methodizing public Accounts be and he is hereby directed to Certify to his Excellency the Governor and Council in the usual Form the Sums that may be found due to the Following persons on the Books Containing the Late

army accounts *viz.* Robert Irwins a Soldier in Colo. Shepards Regiment Joseph Fassett a Serjeant in Colo. Smith's Regiment Benajah Woodbury a Soldier in Colo. Nixons Regiment the Heirs of William Bently a Serjeant in Colo. Greateon's Regiment the heirs of Isaac Cooly a Soldier in Colo. Brooks Regiment Jonathan Morey a metross in Colo. Cranes Regiment Isaac Sander-son a metross in Colo. Cranes Regiment the Heirs of Samuel Clough a Soldier in Colo. Putnams Regiment and the Heirs of John Cellars a Soldier in Colo. Smiths Regiment.

*June 25, 1792.*

### Chapter 36A.\*

ORDER ON THE PETITION OF DAVID SMEAD.

On the petition of David Smead by order and in behalf of a Convention of a number of towns in the County of Hampshire praying for a division of the said County.

*Ordered*, that the petitioner notify the inhabitants of the several towns in the said County to shew cause if any they have why the prayer of the said petition should not be granted, by causing the substance of his petition and this order thereon to be inserted in the several newspapers printed and published in the said County Hampshire three weeks successively, the last publication to be thirty days at least before the said second wednesday.

*June 25, 1792.*

### Chapter 37.

RESOLVE ON THE PETITION OF SAMUEL DANA AND GEORGE RICHARDS MINOT, ESQ'RS. ALLOWING THE PROPRIETORS OF THE TOWNSHIP OF TOWNSEND, FIVE YEARS TO PERFORM THE CONDITIONS PRESCRIBED.

On the Petition of Samuel Dana and George Richards Minot Esquires a Committee in behalf of certain Proprietors of the Township of Townsend to whom the Township No. 3 between the Rivers Schoodick & Cobscoock was granted by a Resolve of the General Court of March 17, 1785 & by another Resolve of March 11th 1786.

*Resolved* for reasons stated in the said Petition that a further time of five years be allowed from and after the 17th day of July next to perform the conditions prescribed

\* Not printed in previous editions. Taken from court record.

in the first mentioned Resolve, so far as respects the settling of the number of Families in the said Township No. 3, thereby prescribed.

*June 25, 1792.*

### Chapter 38.

RESOLVE DIRECTING MR. JOHN DEMING TO CERTIFY BALANCES DUE TO SEVERAL SOLDIERS IN COL. CRAFT'S REGIMENT.

On the Petition of Joseph Robbins, James Pratt, Daniel Warner, and Tabitha James the Widow of Mathew James Non Commisd. Officers in a Regiment of Artillery Commanded by Col. Thomas Crafts Esqr. Praying for the Depretiation of thier wages.

*Resolved* that the Committee for Methodizeing Accounts be Impowered and directed to make up and Certify the Ballances Due to Each of the Persons above-mentioned for the Depr[e]tiation of their wages to the Time they wer Discharged in the Same manner as Other Soldiers in Said Regiment were made up any Law or Resolve to the Contrary notwithstanding.

*June 25, 1792.*

### Chapter 38A.\*

ORDER ON THE PETITION OF EZRA CONANT AND OTHERS.

On the petition of Ezra Conant and others members of the Corporation in the town of Warwick.

*Ordered*, that the petitioners notify the town of Warwick by serving the town Clerk thereof and notify the Trustees of the said Corporation and the Revd. Samuel Reed of said Warwick by serving them with an attested copy [of] the said petition, and this order thereon three weeks at least before the second wednesday of the next sitting of the General Court, that they may appear on the said day and shew cause if any they have why the prayer of the said petition should not be granted.

*June 25, 1792.*

### Chapter 39.

RESOLVE APPOINTING A COMMITTEE TO CONTRACT FOR THE PRINTING BUSINESS FOR THE YEAR ENSUING.

*Resolved* that John Avery Junr. Samuel Cooper, and Henry Warren Esqrs. be and hereby are appointed with

\* Not printed in previous editions. Taken from court record.

full power and Authority, to contract for the Printing business of this Commonwealth, the Year ensuing, on reasonable terms, not to exceed the terms given the year past.  
*June 26, 1792.*

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### Chapter 40.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF YORK, DIRECTING THE COMMITTEE ON ACCOUNTS TO EXAMINE THE ACCOUNTS FOR THE MAINTAINANCE OF HANNAH DOWN.

On the petition of the Selectmen of the Town of York praying to be reimbursed the sum that was expended for Supplies for Hannah Down one of the Commonwealths poor that was foreclosed by the Act of Limitation.

*Resolved* that the Committee on Accounts be and they are hereby directed to Examine the Accounts of the Town of York for the maintainance of Hannah Down, and make them such allowance as they shall judge to be reasonable any law or Resolve of this Commonwealth to the Contrary notwithstanding.  
*June 26, 1792.*

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### Chapter 41.

RESOLVE ON THE PETITION OF JOHN LUCAS AND EDWARD TUCKERMAN.

On the Petition of John Lucas and Edward Tuckerman shewing that they purchased of the Committee for the Sale of Confiscated Estates certain lands in the Town of Boston & that an Action of Covenant broken was brought against the grantee of the said Lucas & Tuckerman unde[r] colour that said Committee had before sold part of the same lands to other persons, and praying they may be allowed what the Plaintiff in said Action recovered with their Costs.

*Resolved* that the prayer of said Petition be so far granted that there be paid out of the Treasury of this Commonwealth to the said John Lucas & Edward Tuckerman the sum of thirty two pounds Eighteen shillings & ten pence in full of all demands on Account of the Warrants contained in the deed conveying to them said lands, or on account of the Action aforesaid.

*June 26, 1792.*



## Chapter 42.

## RESOLVE ON THE PETITION OF FRANCIS HAERE.

On the Petition of Francis Haere praying that he may be discharged from a Judgment recovered against him in the Court of Common Pleas for the County of Berkshire on his Bond given for one Jonah Barnes Innholder of Egremont for the performance of his duty in paying the Excise to Moses Ashley Esqr. the then Collector of Excise for said County and that the said Jonah Barnes may have the same privileges in paying the Excise now due as though he had done the same during the life of the former Excise Master or settled his Accounts in due season.

*Resolved* for reasons set forth in said Petition that the said Francis Heare, be, and he hereby is discharged from the Judgment recovered on his Bond aforesaid, on the said Jonah Barnes, paying the ballance of Excise now due from him to the Collector of Excise for said County, with the Costs thath as arisen on said Suit. And that Barnabas Bidwell Esqr. Collector of Excise for said County, be and he is hereby Authorised and directed to receive the Excise due from the sd. Jonah Barnes, and to settle with him, in the same way and Manner as though the said Jonah had Complied with the Requisites of Law in settling his Accounts in due Season, and the Oath of the said Jonah, may be required, and shall be received in Evidence of the Excise due from him to the sd. Collector any Law or Resolve to the contrary notwithstanding.

*June 26, 1792.*

## Chapter 43.

## RESOLVE ON THE PETITION OF EDWARD EDWARDS, EMPOWERING HIM TO SELL CERTAIN REAL ESTATE.

On the Petition of Edward Edwards Administrator of the Estate of Richard Tidmarsh decd. praying for Liberty to sell the whole real Estate of the said Tidmarsh in Stockbridge in the County of Berkshire.

*Resolved* for reasons set forth in the said Petition that the said Edward be & he hereby is authorized and empowered to sell & convey all the Estate aforesaid of the said late Richard Tidmarsh in the same manner and under the same rules restrictions and Conditions as Administrators

are by Law subject to in making sale of the real Estates of their Intestates.

June 26, 1792.

### Chapter 44.

RESOLVE ON THE PETITION OF SAMUEL BROWN, ADMINISTRATOR, *DE BONIS NON*, OF THE ESTATE OF SAMUEL BROWN, OF WORCESTER, DECEASED.

The petition of Samuel Brown administrator *de bonis non* of the estate of Samuel Brown late of Worcester deceased praying for a review of a report of referees made at a Court of Common Pleas begun & held at Worcester in & for the County of Worcester on the last tuesday of March last.

*Resolved* that the Prayer of said petition be so far granted that the Petitioner have leave to enter his said Action & report at the Supreme Judicial Court next to be holden at Worcester in & for the County of Worcester on the third tuesday of September next. And the Said Supreme Judicial Court are hereby Authorized & empowered to sustain said Action and to hear & determine upon said report of referees in the same manner as though the same report had been originally made to said Supreme Judicial Court — any law to the contrary notwithstanding —

*Provided* that the Petitioner notify the adverse Party by leaving an attested copy of this resolve at his last & usual Place of abode thirty days at least before the said third tuesday of September next.

June 26, 1792.

### Chapter 44A.\*

ORDER ON THE PETITION OF SAMUEL DENNET AND OTHERS.

On the petition of Samuel Dennet and others inhabitants of the town of Sanford in the County of York praying that they with a tract of land whereon they dwell may be set off from said town and annexed to the town of Shapleigh.

*Ordered* that the said Samuel serve the Clerk of the said town of Sanford with an attested copy of said petition and this order thereon thirty days before the second Wednesday of the next sitting of the General Court, that

\* Not printed in previous editions. Taken from court record.

the said town of Sanford may on that day shew cause if any can be shewn why the prayer of said petition should not be granted.

*June 26, 1792.*

### Chapter 45.

RESOLVE ON THE PETITION OF ISRAEL JONES, ADMINISTRATOR ON THE ESTATE OF ELISHA JONES.

On the Petition of Israel Jones Administrator on the estate of Elisha Jones deceased setting forth that there remains due to this Commonwealth the sum of six hundred and fifteen pounds, nineteen shillings & four pence being the balance of a Bond given to the Treasurer of the late Province of Massachusetts Bay by Elisha Jones Nathan Jones & John Murrey for thirty one hundred & Eighty pounds Dated June 11th 1762 for the Township of East Hoosuck.

*Resolved* that whereas it appears there was a deficiency in the quantity of Land, for which said obligation was given and that a grist mill which the Government had provided should be erected in said Township was demolished and for other reasons set forth in said Petition the balance aforesaid be remitted and the Treasurer of this Commonwealth is hereby authorised and directed to deliver the said bond to the said Administrator.

*June 27, 1792.*

### Chapter 46.

RESOLVE ON THE PETITION OF ELIZABETH HUGHES, DIRECTING THE TREASURER TO PAY THE ARREARAGES OF INTEREST DUE TO HER.

On the petition of Elizabeth Hughes.

*Resolved* that the prayer of said Petition be so far granted, as that the Treasurer of the Commonwealth be and he hereby is authorized and directed to pay to the said Elizabeth the arrearages of Interest due to her from the Commonwealth on the principal Sum of One thousand three hundred and thirty four pounds and Eighteen shillings, Money loaned to said Commonwealth prior to the Year 1775, out of any Monies in the Treasury unappropriated.

*June 27, 1792.*

**Chapter 47.**

RESOLVE ON THE PETITION OF JAMES THOMAS AND MARY THOMAS HIS WIFE, TWO OF THE GRAFTON INDIANS, AUTHORIZING THE TRUSTEES OF SAID INDIANS TO MAKE SALE OF A TRACT OF LAND MENTIONED.

On the Petition of James Thomas and Mary Thomas his Wife, two of the Grafton Indians, for reasons sett forth in said Petition.

*Resolved* that the Trustees of the Grafton Indians (having first given Bonds to the Judge of Probate for the County of Worcester for the faithfull discharge of the trust to them herein reposed) be and they hereby are Authorised and impowered to make sale of the Tract of Land belonging to said James & Mary mentioned in said Petition either at Public or private sale for the most the same will fetch and to make and execute good & sufficient Deed or Deeds thereof to the purchaser or purchasers; & the said Trustees shall (as soon as may be) lay out the proceeds of said Land, in other Real Estate for the use and benefit of the said James & Mary in some part of this Commonwealth as they shall judge best and most for the Interest of the said Petitioners. *June 27, 1792.*

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**Chapter 48.**

RESOLVE ON THE PETITION OF EBENEZER CUTTER, GRANTING HIM £.15, AND £.12 PER ANNUM, AS A COMPENSATION FOR THE LOSS OF HIS ARM WHEN ON DUTY IN THE MILITIA OF THIS STATE.

On the petition of Ebenezer Cutter praying compensation for the loss of his arm when on duty in the Militia of this Commonwealth. Whereas Ebenezer Cutter belonging to the company of Artillery (in the 2nd Divission of Militia) commanded by Michael Hodge Esqr. while serving a field piece on the 10th Day of August 1785, had the misfortune to have his left arm blown off by the explosion of a field piece, by reason of which his arm was amputated above the elbow, and the said Ebenezer is disabled from working at his trade.

*Resolved* That there be allowed & paid out of the Treasury of this Commonwealth to Ebenezer Cutter the sum of Fifteen pounds for his necessary expences of Doctors, Nurses &c. during his confinement.

And it is further *resolved* That there be allowed & paid out of the Treasury of this Commonwealth the sum of twelve pounds annually to the said Ebenezer during his life, to commence from & after the first Day of June 1792. And that his Excellency the Governor by & with the advice & consent of Council be authorized to issue his warrant for the said sum of twelve pounds annually.

June 27, 1792.

### Chapter 49.

RESOLVE FOR THE PAYMENT OF COMMITTEE ON ACCOUNTS.

*Resolved* that there be allowed and paid out [out] of the publick Treasury of this commonwealth in the same manner the Members of the Genl. Court are paid for their Travel & attendanc the present session, to the committee appointed to examine and pass on accounts for their Service on the said committee the folowing Sums in addition to their pay as members of the Legislature (*viz.*) To the Honbl. Joseph Hosmer Esqr. the sum of Two pounds four shillings — To the Honbl. Stephen Metcalf Esqr., the sum of Two pounds four shillings — To Benjamin Read Esqr. the sum of Two pounds two shillings. To Josiah Sternes Esqr. the sum of One pound eighteen shillings & to Enoch Titcomb Jr. Esqr. the sum of Two pounds four shillings — which sums shall be in full for their services aforesaid amounting in the whole to the sum of Ten pounds twelve shillings. June 27, 1792.

### Chapter 50.

RESOLVE ON THE MEMORIAL OF THE COMMITTEE FOR THE SALE OF UNAPPROPRIATED LANDS IN THE COUNTY OF BERKSHIRE, AUTHORIZING THE ATTORNEY GENERAL TO COMMENCE A PROCESS, AND EMPOWERING SAID COMMITTEE TO MAKE SALE OF SAID LANDS MENTIONED.

On the Memorial of the Committee for the Sale of Unappropriated Lands in the County of Berkshire, praying ye order of this Court respecting three hundred Acres of land on Hoosuck Mountain in said County originally granted to one Joshua Locke on Conditions which were not fully performed on the part of said Joshua.

*Resolved*, that the Attorney General be and hereby is authorized and directed, to commence a process to revert the said Lands in the Commonwealth pursuant to a Law



made & passed, June 18, 1791. And that said Committee be and hereby are authorized and empowered to make sale of said Land when revested in the Commonwealth pursuant to said Law in the same manner and on the same terms as they are now authorized & empowered to make Sale of unappropriated Land in the County of Berkshire.

*June 27, 1792.*

### Chapter 51.

RESOLVE FOR PAYING CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES, GRANT OF £.30 TO EACH.

*Resolved* that there be allowed & paid out of the Public Treasury to Samuel Cooper Esq. Clerk of the Senate Thirty Pounds; And to Henry Warren Esq. Clerk of the House of Representatives Thirty Pounds on account of their services, as Clerks aforesaid for the present year, they to be accountable for the same respectively.

*June 27, 1792.*

### Chapter 52.

RESOLVE ESTABLISHING THE SALARY OF THE LIEUTENANT GOVERNOR, SECRETARY AND TREASURER.

*Resolved* that for one year from the last wednesday of May last the sum of one hundred and sixty pounds, shall be the pay of the Lieutenant Governor and a proportionable sum for a less time, in full for his services as Lieutenant Governor, to be paid out of the Treasury of this Commonwealth in quarterly payments as the same shall become due.

*Resolved* That there be allowed and paid out of the Treasury of this Commonwealth to John Avery junior Esquire Secretary of this Commonwealth the sum of Two hundred sixty six pounds twelve shillings and six pence which with fifty eight pounds seven shillings & six pence he has received in fees to the 31st of May last shall be in full for his services as Secretary aforesaid from the first day of June 1792 to the first day of June 1793, and is at the rate of three hundred and twenty five pounds per annum to be paid in quarterly payments as the same shall become due.

*Resolved* that from the first day of June current there be allowed & paid out of the public Treasury the sum of

Three hundred & fifty pounds for the pay of the Treasurer for one year, & a proportionable sum for a less time, in full for his services as Treasurer the present year—to be paid in quarterly payments, as the same may become due.

*June 27, 1792.*

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### Chapter 53.

RESOLVE ON THE PETITION OF JOHN ALLAN, ESQ., GRANTING A TOWNSHIP, NO. 12. ON PASSAMAQUODDY BAY, AND CONFIRMING THE SAME TO HIM AND HIS HEIRS.

Whereas the General Court by a resolve passed the 27 March 1788 granted to John Allan Esquire a Tract of Land Called Township Number twelve on Passamaquoddy Bay, except what was granted in said resolve to sundry persons mentioned in said resolve, and Twelve hundred Acres to be appropriated to Public purposes, excepting also six thousand Acres which were reserved for the purpose of raising three hundred Pounds, to be paid by said Allan on or before the first day of March one thousand Seven hundred & ninety Five. And whereas by another resolve passed in January 1790, sixteen hundred of the said six thousand Acres were granted to sundry persons settlers in said Township without their being subjected to pay any part of the said three hundred Pounds required in the first Grant of said Township, which has rendered the said Allan unable to raise the said sum from the said six thousand Acres agreeable to the true intent of said resolve :

Therefore *resolved* that said Township Number Twelve on Passamaquoddy Bay be and hereby is granted and Confirmed unto the said John Allan his heirs & assigns forever, excepting what has been heretofore granted & appropriated according to the first of the aforesaid resolves. And the Committee for the sale of Eastern Lands are hereby authorised & directed to deliver a Deed of the same to the said John Allan agreeable to the intent of this resolve, reserving to the Commonwealth four thousand four hundred Acres therein, equal in quality with the rest of the Township which is the residue of the six thousand acres mentioned in the resolve firstmentioned to be reserved for the purpose of raising the three hundred Pounds aforesaid—and the said Allan is hereby discharged from the payment thereof.

*June 27, 1792.*

**Chapter 54.**

RESOLVE ON THE PETITION OF ELIZABETH MULLINS, RELINQUISHING THE RIGHT AND TITLE TO A SMALL DWELLING HOUSE AND BARN, &c. WHICH WERE SET OFF AS HER DOWER IN HER HUSBAND'S ESTATE.

On the petition of Elizabeth Mullins of Leominster praying that the Commonwealth would relinquish to her their Claim to that part of the Estate of her Husband Thomas Mullins an absentee which was set off & assigned to her as her Dower in her said Husband's Estate, for reasons mention'd in said Petition.

*Resolved* That the prayer of said Petition be granted — and the Commonwealth doth hereby relinquish to the said Elizabeth Mullins, her Heirs and Assigns forever, all their Right & Title in & to the said premises, consisting of a small Dwelling House and Barn and about three Quarters of an Acre of Land situate in said Town of Leominster, which were set off & assigned to said Elizabeth as her Dower in her said Husband's Estate. *June 27, 1792.*

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**Chapter 55.**

RESOLVE AUTHORIZING AMASA DAVIS, ESQ. TO ERECT A PROPER AND CONVENIENT WHARF IN THE COVE ON THE SOUTH SIDE OF RAINSFORD ISLAND.

Whereas it is necessary that, there should be a suitable wharff for the landing of sick Persons, & infected Merchandize & for other Purposes, at Rainsford Island in the Harbour of Boston, the Property of this Commonwealth:

*Resolved* that Amasa Davis Esqr. be a Committee to erect & he is hereby authorised & directed to erect a proper & convenient wharff in the Cove on the south side of Rainsford Island, the Property of this Commonwealth, & to lay his Account of the same before the Governor & Council for Examination and Allowance. *Provided* that the Expence of the same to the Commonwealth do not Exceed the sum of two hundred Pounds.

*June 27, 1792.*

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**Chapter 56.**

RESOLVE ON THE PETITION OF SAMUEL THOMPSON, ADMINISTRATOR ON THE ESTATE OF SAMUEL WYMAN, LATE OF WOBURN, DECEASED.

On the Petition of Samuel Thompson administrator on the Estate of Samuel Wyman jr. late of Woburn deceased

Praying that a certain Claim in favor of one Samuel Eames Wyman which was allowed by the Commissioners (but omitted through mistake) may be entered on their return with the other Debts against said Deceased's Estate.

*Resolved* that the Commissioners who were appointed to receive and examine said Claim are hereby Authorised to enter said Claim amounting to the sum of Twenty five Pounds one shilling and four pence with the other Claims against said deceased's Estate and annex the same to the List of Debts which they lately returned into the Probate Office for the County of Middlesex and that the Judge of Probate for said County consider the same as though it had been entered when the Commissioners made and signed their first report any Law to the contrary notwithstanding.

June 28, 1792.

### Chapter 57.

RESOLVE ESTABLISHING THE PAY OF THE COUNCIL, SENATE AND HOUSE OF REPRESENTATIVES, AND EXTRA PAY TO THE PRESIDENT AND SPEAKER.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth, to each of the Members of the Honorable Council seven shillings & six pence to each of the Members of the Senate seven shillings and to each of the Members of the House of Representatives six shillings & six pence per day, for each day's attendance, & a like sum for every ten miles travel.

*And be it further Resolved*, that there be allowed & paid as above, to the Hon. Samuel Phillips Esq. President of the Senate, & to the Hon. David Cobb Esq. Speaker of the House of Representatives six shillings for every day's attendance, over & above their pay as members of the Legislature, as above stated; & that the Treasurer of the Commonwealth be & he hereby is directed & ordered to pay the respective members accordingly, out of the money in the treasury not already appropriated upon his receiving a warrant therefor from the Governor with advice of Council.

June 28, 1792.

### Chapter 58.

RESOLVE ON THE MEMORIAL OF SAMUEL ALLEN OTIS, ESQ. DIRECTING THE TREASURER, UPON HIS PAYING £77 1 6, TO GIVE HIM A FULL DISCHARGE.

*Resolved*, that upon the honble. Samuel Allen Otis paying into the Treasury of this Commonwealth, the sum

of seventy seven pounds one shilling & six pence, the Treasurer thereof, give him a full discharge of the Debt he stands charged for, to the Commonwealth, under date of October 1776 amounting to that sum.

*June 28, 1792.*

### Chapter 58A.\*

ORDER ON THE PETITION OF WILLIAM ALLEN AND OTHERS.

On the petition of William Allen & others praying to be set off from the town of Dartmouth, and annexed to the town of Westport.

*Ordered* that the petitioners notify the town of Dartmouth, by serving the Clerk of the said town with an attested copy of the said petition, and this order thereon, thirty days, at least, before the second Wednesday of the next sitting of the General Court, to appear and shew cause if any they have, on the said day, why the prayer of the said petition should not be granted.

*June 28, 1792.*

### Chapter 59.

RESOLVE ON A REPRESENTATION IN BEHALF OF THE INHABITANTS OF MARBLEHEAD, CONFIRMING HENRY LEACH AND WILLIAM BODEN, IN THE OFFICE OF COLLECTORS OF TAXES.

On a representation in behalf of the Inhabitants of the town of Marblehead in the County of Essex.

*Resolved* that Henry Leach and William Boden chosen by said Inhabitants at a Town-Meeting holden there on the eleventh day of June instant to be Collectors of Taxes in that Town, be, and they are hereby confirmed in that Office, and shall have the authorities, and be liable to the Duties, incident to that Office, their being chosen at that time, and after the time appointed by law for the choice of such Officers notwithstanding.

*June 28, 1792.*

### Chapter 60.

RESOLVE ON THE MEMORIAL OF JAMES FOSTER, AUTHORIZING THE COMMITTEE ON ACCOUNTS TO RECEIVE AND EXAMINE HIS ACCOUNT, AND TO MAKE HIM A REASONABLE ALLOWANCE FOR HIS SERVICES.

On the Memorial of James Foster praying for an Allowance of his Account for his Services as one of the Clerks

\* Not printed in previous editions. Taken from court record.



of the Treasury of this Commonwealth, for part of the Year 1787.

*Resolved*, That the prayer thereof be so far granted that the Committee on Accounts be and hereby are authorized & directed to receive & examine said Account & allow such part thereof as to them may appear just & reasonable, any act or Resolve of this Commonwealth to the contrary notwithstanding.

*June 28, 1792.*

### Chapter 61.

RESOLVE RESPECTING STORES IN THE CARE OF THE LATE COMMISSARY GENERAL, RICHARD DEVENS, ESQ.

On the motion of Richard Devens Esqr. late Commissary General of said Common-wealth that the General Court would order what should be done with the Publick stores, books & Papers in his hands.

*Resolved* That the articles contained in the schedule hereunto annexed, being all the Public stores remaining in the hands, of the Commissary be disposed of in the following manner, *viz.* 546 powder horns, 9 boxes of leaden ball, 10m flints — 1296 gun locks — 90 wooden bottoms for cartouch-boxes — 153 wooden canteens — 3 old haversacks — 7 horse chains — & 1400 tent buttons — shall be deposited with the quartermaster general — That 2 Universal Dictionaries, 1 Geography, — 2 Guinia Pilots, — 2 British pilots, — 1 Bayer's Dictionary & 1 Baileys Dictionary, shall be deposited in the Senate Chamber. That 2 Iron blocks with brass Sheaffs — 4 boxes of case shot, — 15 sponges & rammers, — 7 cannon cartridge boxes, — 537 — 3, 4 & 6 pound ball, — and 1 pr. of old blacksmith's Bellows shall be deposited with the Public stores on Castle William in the harbour of Boston, — And one copper adze shall be deposited in the public Powder magazine in Boston, — And that five State Notes the Principal & interest whereof amount to one hundred & thirty Pounds, put into the hands of the Commissary by Gilbert Dench, as security for the payment of ninety seven pounds which he said Dench owes the Commonwealth, also that one warrant for three hundred pounds bearing date 23d of June 1788 to purchase Powder, and one warrant for twelve pounds bearing date 23d of December 1788 to defray the expence of sending Robert Griffin to Ireland, be deposited with the treasurer of the Commonwealth — and

all the residue of said articles in said schedule shall be sold by said Devens at public auction he to account to Government for the monies arising from the sale thereof — And all the books & papers in his said Devens's hands relative to his said office of commissary General shall be deposited in the hands of the committee for auditing & stating Public accounts for the time being — for the use & inspection of government.

And it is further *resolved* that John Deming Esqr. is hereby authorised to make a final settlement of accounts between the Common wealth & said Richard Devens.

*Provided nevertheless* That so many of said Small Arms as are fit for use in the opinion of said Devens and the Quarter master general shall be deposited with the quarter master General for the time being for the use of Government.

June 28, 1792.

### Chapter 62.

RESOLVE DIRECTING THE ATTORNEY GENERAL TO BRING THE AGENTS UPON CONFISCATED ESTATES TO A SPEEDY SETTLEMENT.

Whereas sundry persons Agents upon confiscated Estates have neglected to exhibit Inventories thereof and others have neglected to account with the several Judges of Probate, for the amount of the Inventories by them exhibited: Therefore

*Resolved* that the Attorney General be and hereby is directed to take the most effectual Measures to bring the persons in the before recited Cases to a speedy Settlement with the several Judges of Probate and from time to time to make report of his proceedings to the General Court of this Commonwealth.

June 28, 1792.

### Chapter 63.

RESOLVE ON THE PETITION OF SAMUEL FLAGG, ESQ. IN BEHALF OF THE TOWN OF WORCESTER, AUTHORIZING THE COMMITTEE ON ACCOUNTS TO EXAMINE THE ACCOUNTS OF SAID TOWN.

On the Petition of Samuel Flagg in behalf of the Town of Worcester, praying for Liberty to exhibit their Accounts for boarding Nursing & Doctoring Temperance Cumings (a Transient person late deceased) to the Committee on Accounts for examination and Allowance.

*Resolved* that ye prayer of said Petition be granted and that the Committee on Accounts, be, and hereby are authorized to examine the Accounts of the said Town of Worcester for supporting &c. of said pauper, and if Just allow and pass the same, any Law or Resolve to the Contrary notwithstanding.

June 28, 1792.

### Chapter 64.

RESOLVE ON THE MEMORIAL OF MOSES GILL, ESQ AND OTHERS, TRUSTEES OF LEICESTER ACADEMY, GRANTING A TOWNSHIP OF LAND.

On the Memorial & Petition of Moses Gill, Samuel Baker & Dwight Foster Esqrs. in Behalf of the Trustees of Leicester Academy, in the County of Worcester for Reasons set forth in said Petition.

*Resolved* That there be and hereby is granted a Township of Land, of six Miles square to be laid out at the expence of the Grantees by the Committee for the Sale of eastern Lands from any of the unappropriated Lands belonging to this Commonwealth lying between the Rivers Kennebeck & Penobscot — & said Township shall be vested in the Trustees of Leicester Academy and their Successors forever, for the use & purpose of supporting the said Academy, to be by them holden in their corporate Capacity, with full power and authority to settle, divide and manage said Township or to sell, convey and dispose of the same, in such Way & Manner as shall best promote the Interest & Welfare of said Academy.

*Provided nevertheless* that there be and hereby is reserved one lot of three hundred and twenty acres for the first settled minister one Lot of three hundred and twenty acres for the use of the Ministry and one lot of three hundred and twenty acres for the support of Schools in said Town. And *provided further* that the Grantees aforesaid or their Assigns shall cause Twenty families to be Settled within said Township on or before the first Day of June in the year of our Lord one thousand seven hundred & ninety seven.

June 28, 1792.

### Chapter 65.

RESOLVE ON THE PETITION OF JONATHAN STICKNEY.

On the Petition of Jonathan Stickney praying to be relieved from a Judgment recovered against him by the

Commonwealth at the Supreme Judicial Court holden at Concord in the County of Middlesex on the second Tuesday of April A. D. 1792.

*Resolved* that the Prayer of the same Petition be so far granted that the Officer to whom the Writ of Execution that issued on said Judgment was committed, be & he hereby is authorized & required to stay Proceedings on the same Execution, & return the same unsatisfied for the debt, *provided* the sd. Stickney shall pay the Costs & Charges thereon, & that the further consideration of said Petition be referred to the next Session of the General Court.

*June 28, 1792.*

### Chapter 65A.\*

ORDER ON THE PETITION OF JONATHAN KIDDER AND OTHERS.

On the petition of Jonathan Kidder and others praying to be set off from the town of Sutton & annexed to the town of Oxford.

*Ordered* that the petitioners notify the towns of Sutton and Oxford by serving the Clerks of each of the said towns with an attested copy of the said petition and this order thereon thirty days at least before the next sitting of the General Court, to shew cause, if any they have, on the said day why the prayer of the said petition should not be granted.

*June 28, 1792.*

### Chapter 66.

RESOLVE CONTINUING BOUNTY ON HEMP.

*Resolved* that the bounties granted by the resolves of the eighth Day of November 1786, and the twenty eighth Day of March 1788, for raising Hemp be and the same are hereby continued from the first Day of July 1793, to the first Day of July 1794, under the same restrictions and provisions as are contained in the resolves aforesaid.

*June 28, 1792.*

### Chapter 67.

RESOLVE ON THE PETITION OF THE OVERSEERS OF THE POOR OF BRIDGEWATER.

On the Petition of the Overseers of the poor in the Town of Bridgewater praying to be allowed the sums by

\* Not printed in previous editions. Taken from court record.

them advanced for the support of John Jess (formerly a slave to Josiah Edson Esqr. a Conspirator) & his family, & that the said Jess & family may be considered as the poor of this Commonwealth, And whereas it appears that the Commonwealth have been benefited to the amount of about four hundred pounds by the Confiscation & sale of the said Edson's Estate :

*Resolved* that the prayer of the said petition be so far granted, that the Committee on Accounts be & hereby are empowered to examine & allow so much of the Account now exhibited to the General Court by the Overseers of the poor in the Town of Bridgewater for supporting John Jess above mentioned as to the said Committee shall appear to be reasonable.

And it is further *Resolved* that the said John Jess (& his Children untill they arrive to the age of seven years) shall be considered as the poor of this Commonwealth & provided for as such.

June 28, 1792.

### Chapter 68.

RESOLVE GRANTING TO JACOB KUHN, MESSENGER TO THE GENERAL COURT, £.24 TO PURCHASE FUEL, &c.

*Resolved*, That there be paid out of the Treasury of this Commonwealth, the sum of Twenty four pounds to Jacob Kuhn, messenger to the General Court, to enable him to purchase fuel & candles for their use, the said Kuhn, to be accountable for the expenditure of the same.

June 28, 1792.

### Chapter 69.

RESOLVE ON THE PETITION OF STEPHEN NEEDHAM AND OTHERS, A COMMITTEE OF THE SOUTH PARISH IN THE TOWN OF DANVERS, DECLARING VALID A CERTAIN ASSESSMENT.

On the Petition of Stephen Needham and others a Committee of the South Parish in the Town of Danvers, representing, that the Parish Tax for said Parish in the year 1790 was made by four assessors, a fifth Assessor chosen by said parish not having been sworn, by which doubts have arisen respecting the legality of said Tax. And further representing, an irregularity in the notification of the annual meeting of said parish, in March last, and praying the interposition of this Court.



*Resolved* that the assessment made by said four assessors be and the same is hereby declared to be good and valid, and that the same proceedings may and shall be had thereon in collecting the Tax aforesaid as though the Error and informality aforesaid had not taken place. And also that all the Votes, doings & proceedings of said parish at their annual meeting aforesaid shall be good and valid, in the same manner and to the same effect as if the said meeting had been notified by a warrant under the hands of the Committee of said Parish, any Law to the Contrary notwithstanding.

*June 28, 1792.*

### Chapter 69A.\*

ORDER ON THE PETITION OF JEDEDIAH JEWETT AND OTHERS.

On the petition of Jedediah Jewett & others inhabitants of the town of Pittston praying to be incorporated into a parish.

*Ordered* that the petitioners notify the inhabitants of the town of Pittston by serving the Clerk of the said town with an attested copy of the said petition & this order thereon, sixty days at least, before the next sitting of the General Court, to shew cause if any they have, on the said day, why the prayer of the said petition should not be granted.

*June 28, 1792.*

### Chapter 70.

RESOLVE ON THE PETITION OF ALEXANDER CAMPBELL, ESQ.

On the petition of Alexander Campbell, Esqr. praying allowance & payment, for Sundry Services performed by him during the late war in the Eastern parts of this Commonwealth.

Whereas it appears from the Testimony of many of the principal Inhabitants of the Counties of Lincoln, Hancock, & Washington, that Alexander Campbell, Esqr. who was Lieut. Colonel of a Regt. of Militia in that quarter, during the late War, that through his zeal, activity, abilities, and attention, those parts were Secured in a great measure from the depredations of the Enemy. And it further appears that he has Impaired his Interest very much by his close attention on the bussiness of the Government

\* Not printed in previous editions. Taken from the court record.

— so that from a State of affluence he is much reduced — and it does not appear that he has had any Compensation for his time from this Commonwealth :

*Resolved* that there be paid out of the Treasury of this Commonwealth to the said Alexander Campbell, the Sum of one hundred and fifty pounds, also that there be granted to the said Alexr. Campbell Two thousand acres of Land, out of the four thousand four hundred Acres, reserved to Government the present Session out of the Township granted to John Allen Esq. lying in the County of Washington numbered 12 on Passmaquoddy in full for his Services done for this Commonwealth during the late war and his Excellency the Govenour is requested to grant his warrant on the Treasurer for the said sum of One hundred & fifty pounds.

*June 28, 1792.*

### Chapter 70A.\*

ORDER ON THE PETITION OF DANIEL SCHRIBNER.

On the Petition of Daniel Schribner Praying That, [That] part of his Farm lying in Waterborough may be Sett off and annexed to Sanford.

*Ordered*, That the Petitioner Notify the Town of Sanford by leaveing an Attested Copy of said Petition & of this Order there On with the Town Clark of sd. Sanford thirty days at least before the third Wednesday of the Next Sitting of the General Court, Then To Appear and Shew Cause if Any they have why the prayer of Said Petition Should Not be Granted.

*June 28, 1792.*

### Chapter 71.

RESOLVE ON THE REPRESENTATION OF AMASA DAVIS, ESQ.  
Q. M. G., GRANTING £.700 FOR CERTAIN PURPOSES.

On the Petition of Amasa Davis Esqr. Quarter master General, stating that in obedience to a resolve of the General Court of Feby. last he has collected metal for the purpose of casting Brass Field pieces, and submitting to the General Court whether a saving of expense and equal advantage may not accrue to the Government by casting three pounders, instead of four pounders, as the resolve before mentioned directs.

\* Not printed in previous editions.

*Resolved* that the Quarter master General be and he hereby is directed to procure three pound Brass Field pieces to be cast instead of four pounders as directed by the Resolve aforesaid.

And it is further *Resolved* that there be paid out of the Treasury of this Commonwealth from any money not already appropriated to Amasa Davis Esqr. Quarter Master General, the sum of seven hundred pounds to enable him to carry into effect the resolves of the General Court of the 11th of March 1791 and 27th of Febr'y. 1792, he to be accountable therefor.

*June 29, 1792.*

### Chapter 72.

RESOLVE ON THE PETITION OF THE SELECTMEN OF READING.

On the Petition of the Selectmen of the town Reading in behalf of Said Town, Praying for allowance of there Account for takeing care and Providing for Samuel Bancroft a States Pauper.

*Resolved* that the Prayer thereof be so far Granted as that it be Committed to the Committee on Accounts for examination and allowance any Law or Resolve to the contrary notwithstanding.

*June 30, 1792.*

### Chapter 73.

RESOLVE ON THE PETITION OF JAMES FOSTER GRANTING ADDITIONAL PAY.

On the Memorial of James Foster Jr. praying for a further allowance for his Services as one of the Clerks of the Treasury of this Commonwealth.

*Resolved* for Reasons set forth in said Memorial; That there be allowed & paid out of the Treasury of this Commonwealth to said James Foster Jr. One Shilling & three pence pr. Day (Lords Days excepted) amounting to seventy eight pounds five shillings in addition to the Sum already allowed him, during the time he has been employed in sd. Office — said additional Sum being in full Compensation for his extra services as Clerk in the Office aforesaid.

*June 30, 1792.*

## Chapter 74.

RESOLVE ON THE PETITION OF AARON PUTNAM, EMPOWERING THE COMMITTEE ON ACCOUNTS TO RECEIVE, EXAMINE AND PASS ON HIS ACCOUNTS.

On the petition of Aaron Putnam.

*Resolved* that the Com[*mitt*]ee on accounts be authorized & empowered to receive examine & pass on the account of Dr. Aaron Putnam for his attendance on a person said to be one of the Poor of the Commonwealth in the same way & manner as they would have done provided the same account had been exhibited within the time limited by law.

June 30, 1792.

## Chapter 75.

RESOLVE ON THE PETITION OF WILLIAM RAMSDELL AND OTHERS, A COMMITTEE FOR LAYING OUT TOWNSHIP NO. 8, IN THE COUNTY OF WASHINGTON, TO THE SEVERAL SETTLERS THEREON.

On the petition of William Ramsdell & others a Committee for Laying out Township number Eight in the County of Washington to the Several Settlers thereon, according to a resolve of the General Court passed June 18, 1791.

*Resolved* for reasons set forth in said petition, that William Ramsdell, John Allan, Lewis Frederick Delesdernier Benjamin Reynolds, James Cochran and Joseph Clark, the Committee appointed by the resolve aforesaid, be and they hereby are authorised & impowered to Lay out the Lands in said Township to such persons as shall appear & obligate themselves to settle thereon, they paying therefor at the rate of Ten Dollars for One hundred Acres — *Provided* that not more than two hundred Acres be laid out to any one Settler, and that preference be given to such of the Sons of the present inhabitants of said Township as are of age, and wish to settle thereon.

And it is further *resolved* that [that] the said Committee or the major part of them be directed to deliver a certificate or Certificates of all the lots which they may lay out by virtue of this R[e]solve with proper descriptions of such lots and the Names of the several persons for whom the said lots may be laid out to the Committee for the Sale of Eastern Lands who upon receipt of such certificate or Certificates with the obligations & payment as aforesaid

are impowered to make proper deeds to the persons to whom such lots may be laid out as aforesaid. And *provided* that the Conditions expressed in the resolve passed June 18, 1791 relative to said Township be complied with by the persons who may apply for settlements and that they pay all necessary Expences. *June 30, 1792.*

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### Chapter 76.

RESOLVE FOR SUPPLYING CASTLE ISLAND WITH LAMPS.

Whereas the safe keeping of the Convicts on Castle Island will be essentially promoted by lighting a number of lamps on said Island :

*Resolved* that the Quarter Master General be & hereby is directed to procure & cause to be erected on Castle Island such a number of lamps & to provide for their being supplied with oyl & other necessaries for lighting them, & in such places on said Island, as shall be directed by his Excellency the Governor — And to lay his accounts for the same before the Com[*mittee*] on accounts as is usual for other Expences in the said Garrison.

*June 30, 1792.*

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### Chapter 77.

RESOLVE ON THE PETITION OF JESSE LAWRENCE, GIVING PROTECTION TO PAUL RICHARDSON.

On the Petition of Jesse Lawrence setting forth that one Paul Richardson, who now resides in the State of New York, is a material witness in sundry Prosecutions Commenced by this Commonwealth against sundry Persons therein for defrauding them of the late state revenue, and now Pending in the Supreme Judicial Court which will be holden in Boston in & for the County of Suffolk on the last tuesday of August next, and that it is expedient that said Richardson should have seasonable Protection in order that he may appear at said Supreme Judicial Court in season to give evidence relative to said Prosecutions.

Be it therefore *Resolved* that the Respective sheriffs & Coroners in each County in this Commonwealth and their & each of their respective deputies and also the respective constables in the several towns in this Common wealth are hereby each & every of them, the said Sheriffs, Coroners,



deputies & Constables prohibited to attach the body of the said Paul Richardson or to serve him with any civil Process whatever from the Passing of this resolve untill the expiration of one fortnet after the said Supreme Judicial Court shall have adjourned. *June 30, 1792.*

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### Chapter 78.

RESOLVE ON THE PETITION OF JOHN HUBBARD, IN BEHALF OF DAVID CLARK, A COLLECTOR OF TAXES FOR THE TOWN OF SHEFFIELD, IN THE YEAR 1774, AUTHORIZING THE TREASURER TO RECEIVE A CERTAIN SUM OF HIM, IN OLD ORDERS, SO CALLED.

On the Petition of John Hubbard in behalf of David Clark a Collector of Taxes for the Town of Sheffield in the year 1774 praying that the said David may be discharged from a Tax committed to him to collect for the then Province of Massachusetts.

*Resolved*, for Reasons set forth in the said Petition, that the prayer thereof be so far granted, that the Treasurer of this Commonwealth be, and he hereby is authorized and directed to receive of the said David, on the said Tax, One hundred and seven old emission Dollars, and three pounds and six shillings in old orders, so called, at the nominal value thereof; and to discharge the said David from the said Tax to the nominal amount of the said Dollars and Orders. *June 30, 1792.*

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### Chapter 79.

RESOLVE FOR DISTRICTING THE COMMONWEALTH, FOR THE PURPOSE OF CHOOSING FEDERAL REPRESENTATIVES.

Whereas in providing for an equal representation of this Commonwealth in the Congress of the United States regard is to be had as far as may be to the local circumstances & usages of the Citizens and to the residence of those who may become Representatives to the end that a knowledge & confidence in the measures of the General Government may be diffused through this Commonwealth :

*Resolved* that the fourteen Representatives apportioned to this Commonwealth & to be returned therefrom to the next Congress of the United States shall be chosen by the Inhabitants of this Commonwealth qualified to vote for Representatives to the General Court duly assembled in their respective towns & plantations & for that purpose

that the said Commonwealth be & the same is hereby divided into four districts in the manner following *Vizt.*

The first district shall consist of the Counties of Suffolk Essex & Middlesex & shall be entitled to choose four representatives of whom one at least shall be resident in each of those Counties.

The second district shall consist of the Counties of Hampshire Worcester & Berkshire & shall be entitled to choose four Representatives of whom one at least shall be resident in each of those Counties.

The third district shall consist of the Counties of Plymouth, Bristol, Barnstable Dukes County & Nantucket & shall be entitled to choose two representatives one of whom shall be resident in Bristol Dukes County or Nantucket — & the other in the other part of said district.

The fourth district shall consist of the Counties of York Cumberland, Lincoln Hancock & Washington & shall be entitled to choose three representatives one of whom shall be resident in the County of York one in Cumberland & one in the other part of said district. And the first second and third districts shall also unite in the choice of one Representative.

And be it further *resolved*, that the Selectmen of the several towns & districts within this Commonwealth shall in manner as the law directs for calling town meetings cause the inhabitants of their respective towns & districts duly qualified to vote for representatives in the General Court of this Commonwealth to assemble on the second day of Novr. next to give in their votes for their respective Representatives to the Selectmen who shall preside at said Meeting & the Selectmen or the major part of them shall in open town meeting sort and count the votes & shall form a list of the names of the persons voted for, with the number of votes for each person set against his name expressing the County or Counties District or Districts for which he may have votes, & the town Clerk shall make a record thereof, & the Selectmen shall make public declaration in town meeting of the names of the persons voted for, & of the number of votes they respectively have, & shall in open town meeting, seal up said list certified by the Selectmen & transmit the same within ten days next after such meeting to the Office of the Secretary of the Commonwealth or to the Sheriff of the County in which such town lies, who shall transmit the same to the

Secretary of this Commonwealth on or before the fifth day of December next. And the Secretary shall lay the same before his Excellency the Govr. & Council, & in case of an election for any district, of one or more persons by a majority of all the votes returned from such district, his Excellency the Govr. is hereby requested forthwith to transmit to the person or persons so chosen a certificate of such choice sign'd by the Govr. & countersigned by the Secry.

*Provided nevertheless*, that such towns and districts as lay within any County in which there is no sheriff, shall return such list to the Secretary's Office in the same term of time, as Sheriffs are required to do it. And in case of the election of any or all the persons not being effected by a majority of all the votes in any district—His Excellency the Govr. is hereby requested to cause precepts to issue to the Selectmen of the several town & districts, in such district directing & requiring such Selectmen to cause the inhabitants of their respective Towns & districts as aforesaid, to assemble as aforesaid on a day in such precept to be appointed to give in their votes for such representative or representatives in Congress as aforesaid as shall remain to be chosen, which Precept shall be accompanied with a list of Persons voted for in such District, shewing the number of votes for each person according to the first return & the same proceedings shall be had thereon in all respects, as is before directed in this resolve, & the Selectmen shall make return to the Secretary of the Commonwealth or to the Sheriff in manner as aforesaid within ten days, next after such meetings; & the Sheriffs shall make return thereof into the Secretary's Office on or before such day as his Excellency the Govr. shall appoint in such precept & the Secry. shall lay the same before his Excellency the Govr. & Council, & his Excellency the Govr. is hereby requested to cause the person or persons who shall be chosen as aforesaid to be served with a Certificate thereof as aforesd. And the same proceedings shall be again had in case any district should fail of completing the choice of their Representative & his Excellency the Govr. is requested to issue his precept accordingly to the Selectmen of those towns & districts of such districts where the choice of Representatives shall not have been completed and like proceedings shall be had as often as occasion may require.

And it is further *Resolved* that if in the process of such Election after a second trial therefor any representative or representatives shall remain to be chosen in any district, the Govr. with the Advice & consent of Council shall declare & publish to such district the persons who shall have had the greatest number of votes in the last preceeding returns — being double the number of the persons to be elected in such district if so many there be, and those persons only shall be Candidates in the next Election.

And each voter in the first & second Districts shall give in his vote for an Inhabitant in each County in his District & also for an Inhabitant of any part of such District, & also another vote for an Inhabitant of any part of the first second or third District. And each Voter in the third District shall give in his vote for an Inhabitant of the County of Bristol, Dukes' County or Nantucket, & also another vote for an Inhabitant in the County of Plymouth or Barnstable, & also another vote for an Inhabitant of any part of the first second or third District.

And each voter in the fourth District shall give in his vote for an Inhabitant of the County of York, & also a vote for an Inhabitant of the County of Cumberland, & also another vote for an Inhabitant in the County of Lincoln Hancock or Washington. And if it shall so happen that any person shall have a majority of all the votes in the first second & third Districts, & also a majority of votes for any District or part of District, such person shall be taken to be the Representative for the three Districts, & the District in which he shall be an Inhabitant shall be called on to make another choice for such District. And in case it should so happen that no person shall have a majority of all the votes of the first second & third Districts His Excellency the Govr. is hereby requested to publish to such Districts the name of the person in each District, who shall have had the highest number of Votes in such District, as Representative for said three districts in the preceeding Election, & shall not have been chosen Representative for such Districts & those three persons only shall be Candidates for a Representative of the said three Districts at the next Election. And the same proceedings, as near as may be, shall be had for the purpose of choosing a Representative for the said three Districts collectively, as are herein before

provided for choosing Representatives for any particular District, where such choice shall not have been completed in a former election.

And be it further *resolved* that if the Select men of any town or district shall neglect to transmit to the Sheriff of the County to which they belong the list of Votes as by this Resolve they are directed, in every such case it shall be the duty of such Sheriff either by himself or his Deputy to repair to such Selectmen & receive of them such list, & such Selectmen shall jointly & severally be holden to pay to such Sheriff the same fees as are by law allowed for travel in cases of civil process. And such Sheriff shall return such List to the Secretary's Office as is before directed in this Resolve. And it shall be the duty of the Sheriffs in the respective Counties on their receiving this Resolve or any precept from his Excellency the Governour for the purposes mentioned in this Resolve to transmit the same seasonably to the Selectmen of the several Towns & Districts within their respective Counties to whom they are respectively directed; & the Sheriffs shall be entitled to receive out of the Treasury of this Commonwealth the same fees for transmitting this Resolve & the precepts aforesd. as they are allowed by law for dispersing proclamations; & the same fees for returning the votes as aforesd. as are allowed by Law for returning the votes for Governour Lieut. Governour & Senators of this Commonwealth.

And be it further *Resolved*, that each Sheriff who shall neglect to perform the duties, which by this Resolve he is directed to perform, shall for each neglect forfeit & pay to the Commonwealth a sum not exceeding one thousand pounds to be recovered by Bill Plaint or Information in the Supreme Jud. Court in the County to which such Sheriff belongs. And it shall be the duty of the Attorney General to prosecute for all breaches of this Resolve. And if any Selectmen shall neglect to perform the duties which by this Resolve they are required to do, the Selectmen so neglecting shall severally forfeit to the Commonwealth a sum not exceeding thirty Pounds nor less than twenty shillings to be recovered as aforesd.

And the Secretary is hereby directed to transmit seasonably to the Sheriffs of the several Counties in this Commonwealth copies of this Resolve for the Selectmen of the several Towns & Districts in such Counties respectively,



to be by said Sheriffs transmitted to the said Selectmen accordingly.

*June 30, 1792.*

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### Chapter 80.

RESOLVE FOR DISTRICTING THE COMMONWEALTH, FOR THE PURPOSE OF CHOOSING ELECTORS OF PRESIDENT AND VICE PRESIDENT.

*Resolved* that for the purpose of chusing Electors of the President & Vice President of the United States the Counties of Suffolk, Essex and Middlesex shall be one district to chuse five, the Counties of Hampshire, Berkshire and Worcester shall be one district to chuse five, the Counties of Plymouth, Bristol, Barnstable, Dukes County and Nantucket shall be one district to chuse three and the Counties of York, Cumberland, Lincoln, Hancock and Washington shall be one district to chuse three Electors.

And be it further *resolved* that the Selectmen of the respective Towns & districts in the several districts before described, shall in manner as the Law directs for calling town meetings cause the Inhabitants thereof duly qualified to vote for representatives to the General Court of this Commonwealth to assemble on Friday the second day of November next to give in their Votes To the Selectmen who shall preside at sd. meeting for the number of persons, as Electors, assigned to such districts respectively, not being Senators or Representatives in the Congress of the United States, or persons holding any office of Trust or profit under sd. United States. And the Selectmen or the major part of them shall in open Town meeting sort & Count the votes and form a list of ye persons voted for with the number of votes for each person against his name & shall make a public Declaration thereof in sd. meeting & shall in the presence of sd. Inhabitants seal up Copies of ye sd. List & transmit the same to the Office of ye Secretary of the Commonwealth on or before the second Tuesday of November next. And on the second Wednesday of said November the General Court then in Session shall examine said returns and determine and declare who are elected from each district by a majority of votes in sd. district respectively. And in case there shall not appear to be the full number of sixteen Electors returned Elected by a majority of votes,

the deficiencies shall be supplied from ye several districts respectively by Joint ballot of the Senate & House of representatives in the same manner as deficiencies and vacancies in the Senate are by the Constitution of this Commonwealth directed to be supplied.

And be it further *resolved* that his Excellency the Governor be and he is hereby requested forthwith to transmit to each person so chosen Elector a certificate of said Choice, and that said Electors be and hereby are directed to meet on the first Wednesday of December next at the State house in Boston at ten oClock in ye forenoon for the purpose of voting by ballot for two persons for president & vice president of ye United States agreeably to the Constitution & Laws of ye United States. And that for their Travel & attendance they shall receive ye same compensation as members of the Senate are entitled to.

And be it further *resolved*, that if the Selectmen of any Town or district in the Commonwealth shall neglect to transmit the List of votes of said Town or district in manner aforesd. to the Secretary of the Commonwealth on or before the said second Tuesday of November, each of said Selectmen so neglecting shall forfeit & pay the Sum of Ten pounds to the use of the Commonwealth, — *provided*, that if the Selectmen of any Town or district, shall transmit to the Sheriff of the County in which such Town or District shall lie, the votes of such Town or district on or before the fifth day of said November, the said Selectmen shall be excused from the penalty aforesd. and it shall be the Duty of the Sheriffs of the several Counties in the Commonwealth to transmit the votes by them respectively received from ye Selectmen of the several Towns & districts to the Secretary of ye Commonwealth on or before the said second Tuesday of November. And any Sheriff neglecting to return the votes by him received as aforesd. within the time aforesd. he shall forfeit & pay to the use of the Commonwealth the sum of one hundred pounds, for any such neglect. And the said Sheriff shall be allowed and paid out of ye Treasury of this Commonwealth, the Sum of four pence for each miles Travel to and from the Town of Boston in transmitting the votes aforesd.

And be it further *resolved*, that in Case the aforesd. returns from any district shall not be received at the Secretarys Office on or before the second Tuesday of

November next the members of the Two houses of the Legislature shall on ye said second Wednesday of Novemr. appoint such number of persons as any such district is entitled to chuse being inhabitants of such district for Electors of President & Vice president. *June 30, 1792.*

### Chapter 81.

ROLL NO. 23.

The Committee on Accounts having examined the Accounts they now present, Report that there is due to the Towns and Persons hereafter mentioned, the sums set against their names respectively, which if allowed and paid, will be in full discharge of said Accounts to the dates therein mentioned.

JOSEPH HOSMER *Pr. order.*

#### *Expences of Maintaining the Poor of the Common wealth vizt.*

To the Town of Abington for supporting Joseph Steel from 5 Feby. 1791 to 28 May 1792 including Doct. Richard Briggs two Accounts, . . . . .	£	s.	d.
	21	10	3
To the Town of Andover for supporting John Dunlap from the 1 March 1791 to 1 March 1792 & others, including Doctr. Abiel Pearson's Bill for Robert Hall's family, . . . . .	30	7	4
To the Town of Acton for supporting Eunice Barber & her four Children from the 30 Janry. to 19 June 1792, . . . . .	8	0	0
To the Town of Brookfield for supporting Letitia York & others from October 1791 to 21 March 1792 including Doctr. Jacob Kittredges' Bill, . . . . .	17	13	10
To the Town of Bolton for supporting Ebenezer Davis from 3 September to 5 October 1791, . . . . .	4	18	8
To the Town of Boston for supporting sundry persons, State's Poor from 1 December 1791 to 1 March 1792, . . . . .	526	3	2
To Samuel Whitwell keeper of the Almshouse in Boston for taking care of the State's poor from 1 Decr. 1791 to 1 March 1792, . . . . .	41	0	4
To Doctr. William Spooner for Advice Medicines & Attendance upon the State's Poor in Boston from 15 May 1791 to 15 May 1792 — as ff' Agreement, . . . . .	120	0	0
To the Town of Buckland for supporting Jerusha Wilkie from 3 Janry. to 3 May 1791 including Doctr. Mantor & Doctr. Haydens Bills, . . . . .	12	15	10
To the Town of Chesterfield for supporting Sally Burton & John Kennedy from 22 May 1791 to 22 May 1792, . . . . .	18	4	0
To Mary Cutter of Medford for supporting a Child from the 29 Feby. to 31 May 1792, . . . . .	1	15	9

To the Town of Concord for supporting Willm. Shaw from the 23 Janry. to 11 June 1792, . . . . .	£ s. d. 4 9 5
To the Town of Cape Elizabeth for supporting Betty Carol from 27 May 1791 to 27 May 1792, . . . . .	15 12 0
To the Town of Dorchester for supporting John Homans & Family from 6 March to 19 June 1792 including Doctr Andrews Bill, . . . . .	16 7 6
To the Town of Dedham for supporting John Sheffenee, James Cloud & Widow Titterton from 30 July 1790 to 1 Janry. 1792, . . . . .	34 13 3
To the Town of Dartmouth for supporting sundry persons & funeral Expences up to the 20 May 1792, . . . . .	23 17 9
To the Town of Duxbury for supporting Esther an Indian Woman & funeral Charges from Novr. 1790 to 1 May 1792, . . . . .	17 1 6
To the Town of Franklin for supporting Alexander Reed from 12 Febry. to 19 Novr. 1791 including Cloathing, . . . . .	15 2 10
To the Town of George Town for supporting Patrick Lynch, John Lynes & Nicholas Hannibury from 1 Janry. to 26 May 1792, . . . . .	16 8 6
To the Town of Greenfield for supporting John Battas' family & John McHard from 1 April 1791, to 29 Febry. 1792, . . . . .	25 2 8
To Joseph Hosmer for supporting Daphne an African, from 1 Febry. to 20 June 1792, by virtue of a Resolve of Court, . . . . .	5 5 0
To the Town of Leonox for supporting Martha St. John from the 8 March 1787 to 1 March 1791, committed by a Resolve of Court, . . . . .	46 16 0
To the Town of Mendon for supporting Jane Rowen & James Thompson from 1 Janry. to 12 June 1792, . . . . .	5 1 11
To the Town of Marshfield for supporting Urana Peck & her two Children from the 5 May 1791 to 7 May 1792, . . . . .	10 14 0
To the Town of Natick for supporting Joseph Wamscon from 24 Decr. 1791 to 23 May 1792, . . . . .	2 17 6
To the Town of Newbury Port for supporting sundry persons poor of the Common wealth from 1 Janry. to 1 May 1792, . . . . .	115 7 2
To the Town of Newbedford for supporting Phillip Mason from 25 April 1791 to 6 April 1792, . . . . .	10 11 3
To the Town of Plymouth for supporting Patrick Morris & Family John Barrets family, John F. Bigner & Nathaniel Thomas & wife from the 4 Febry. to 1 June 1792, . . . . .	26 16 11
To the Town of Portland for supporting John Oneil, John Connor, & Dudley Broadstreet from 9 April 1791 to 9 April 1792, . . . . .	32 17 4
To the Town of Plympton for supporting Simon Brow & Hannah Mitchel from 14 March 1791 to 12 March 1792, . . . . .	12 10 11
To the Town of Rochester for supporting Mary Sassaman from 11 Janry. to 27 April 1792, . . . . .	3 9 6
To the Town of Shrewsbury for supporting George Philmores Family from 1 March 1791 to 1 March 1792, . . . . .	15 10 0

To the Town of Swansey for supporting Penelope Warshonks & Deborah Dorse from 1 April 1791 to 1 April 1792, . . . . .	£	s.	d.
	7	2	2
To the Town of Spencer for supporting Robert Giffin from 15 Jany. to 11 August 1791 by Levi Harthway & Caleb Barton as $\frac{1}{2}$ their Accts., . . . . .	9	9	0
To the Town of Tukesbury for supporting James Johnson from 28 May 1791 to 28 May 1792 including Doct. Kittredge & Doct. Ryans Bills, . . . . .	19	17	4
To the Town of West Springfield for supporting John Hendrick Coonrod Threadmire & Lucy Kent from 24 June 1785 to 14 May 1792 committed by a Resolve of the Gen. Court, . . . . .	56	3	6
To the Town of Windsor for supporting Benjamin Still & wife from 17 May 1791 to 17 May 1792, . . . . .	24	10	0
To the Town of Warwick for supporting Jane Birch & her three Children between 20 June 1791, & 25 May 1792, . . . . .	1	3	0
To the Town of Worcester for supporting George Russell from 1 March to 25 May 1792 including Doctr. John Green's Bill, & funeral Charges, . . . . .	18	11	10
To the Town of Williamsburgh for supporting Archibald McMillan & wife from 1 April 1791 to 12 March 1792, . . . . .	20	9	6
To the Town of Boxborough for supporting John Kennedy & Mary his wife from 14 January to 2 June 1792, . . . . .	6	0	0
To the Town of Pitston for supporting Ruanimah Clark, an Insane person from 1 Sept. 1790 to 1 Janry. 1792 including Clotheing, . . . . .	24	0	9
To the Town of Vassalborough for supporting Ruanimah Clark from 6 April to 1 Augt. 1790 $\frac{1}{2}$ Joseph Webbers Acct., . . . . .	4	5	9
To the Town of Boston for supporting the States Poor from [from] 1 March to 1 June 1792, . . . . .	443	7	4
To Samuel Whitwell keeper of the Almshouse in Boston for taking care of the State's Poor from 1 March to 1 June 1792, . . . . .	40	11	4
To Doctr. Thomas Welsh for Advice Medicines & Attendance upon the Poor of the Common Wealth, with the Small Pox in the Hospital at West Boston from 26 Feby. to 25 June 1792, . . . . .	39	8	8
To the Town of Medway for supporting William Franklin from 21 Feby. to 5 June 1792, . . . . .	4	4	0
	£.1978	6	3

*Expences of the Militia — vizt.*

To John Smith Brigade Major for his services in the 1 Brigade in the 4 division from 13 July 1789 to 22 Feby. 1792, committed by a Resolve, . . . . .	£	s.	d.
	18	4	0
To William Greenleaf Jr Brigade Major for his Services in the 2d. Brigade in the 7 division from 26 June 1791 to 28 May 1792, . . . . .	6	16	0
	£.25	0	0



*Sheriff's Accounts — vizt.*

Elisha Porter, Sheriff of the County of Hampshire for distributing precepts & returning Votes for a Federal Representative between August & Novr. 1791, .	£	s.	d.
John Gardner Sheriff of the County of Nantucket for distributing precepts & returning Votes for a Federal Representative in January & February 1792, .	2	8	4
	2	5	0
	£.4	13	4

*Printers Accounts — vizt.*

To Benjamin Edes & Son for printing for the Commonwealth in Novr. 1791, .	£	s.	d.
To Benjamin Russell for printing in Febr'y. 1792, .	1	4	0
To Thomas B. Waite for printing from 12 March to 4 June 1792, .	0	14	0
To Benjamin Titcomb Jr. for printing from 10 June 1791 to 5 March 1792, .	16	13	0
	1	16	0
	£.20	7	0

*Miscellaneous Expences for the Common-wealth — vizt.*

To Benjamin Austin Jr. for an Iron Stove in Janry. 1792 for the Secretarys Office, .	£	s.	d.
To John Deming for expences on wood from Deer. 1791 to June 1792 for his Office & Acct., .	5	8	0
To Joseph Hosmer for his services on a Committee to settle with Samuel Ward in April 1792 & Acct., .	0	11	2
To Samuel Howard for repairing Schooner Hancock to attend upon the Hospital at Rainsfords Island in April 1792 & Acct., .	1	16	0
To Ebenezer Hancock for Repairs at the Castle in April & May 1792 & Acct., .	7	5	6
To Josiah Wheeler for Repairs at the Castle in March & April 1792 & Acct., .	18	18	0
To Joseph Russell of New Bedford for Supplies for the Artillery &c. in 1778 committed by a Resolve of Court, .	17	18	7
To Thomas Davis for 29 days examining Treasurer Hodgdon's Accts. pursuant to a Resolve passed 9 March 1792 @ 12s., .	7	9	4
To James Foster for his services in examining & settling the Books & Accounts of the late Treasurer Ivers from 10 Deer 1787 to 17 June 1791, agreeably to Resolves of Court of 21 Novr. 1787 & of 17 June 1791. 1080 days @ 9s. .	£	s.	d.
	486	0	0
also for his services in the same Business from 17 June 1791 to 22 June 1792 agreeably to a Resolve of Court of 18 June 1791. 284 days @ 10s. .	142	0	0
	628	0	0
deducting a Warrant he had on the Treasury of 26 June 1789 in part, for	150	0	0
	£478	0	0

To Samuel Thwing for his services on the same Business at the same time,	£	s.	d.	
1064 days @ 9s. . . . .	478	16	0	
284 days @ 10s. . . . .	142	0	0	
	<hr/>			
	620	16	0	
deducting a Warrant he had on the Treasury of 26 June 1789 in part, for	150	0	0	
	<hr/>			
		£	s.	d.
		470	16	0
		<hr/>		
To Joseph Laughton, first Clerk in the Treasurer's Office for his services from 5 March to 26 June 1792 — 97 days @		£	s.	d.
10s. . . . .		48	10	0
		<hr/>		
Total of the whole Amount— vizt.,		1074	0	7
		<hr/>		
allowed for the support of the Poor of	£	s.	d.	
the Common wealth, . . . .	1978	6	3	
for services done by Sheriffs, . . . .	4	13	4	
for Expences of the Militia, . . . .	25			
for Printing, . . . . .	20	7	0	
Miscellaneous Expences, . . . .	1074	0	7	
	<hr/>			
		£.3102	7	2
		<hr/>		

Read & accepted, & thereupon *Resolved* that his Excellency the Governour with the advice of Council, be & he hereby is requested to issue his Warrant on the Treasury, for the payment of the several Towns & persons borne on this Roll, the sums set against such Towns & persons respectively, amounting to three thousand One hundred & two pounds seven shillings & two pence.

June 27, 1792.

## Chapter 82.

ROLL, NO. 24, — JUNE, 1792.

The Committee on Accounts having Examined the Accounts they now Present; *report* that there is due to the Towns and Persons hereafter mentioned the sums set against their Names respectively; which if Allowed and paid will be in full discharge of the said Accounts to the dates therein mentioned.

JOSEPH HOSMER pr. Order.

*For support of Poor.*

	£	s.	d.
To the Town of Westborough for supporting John Scudmore, from the 1 Feby. to the 6 June 1792, . . . . .	6	1	0
To the Town of Williamstown, for Supporting Rachel Galusha from 2 Feby., to 20 May 1792, . . . . .	7	10	0

*Printing for Government.*

To Ezra Waldo Weld for Printing sundry Acts & Resolves of the General Court from march 14th to May 9th 1792, . . . . .	14	5	0
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*Contingencys.*

To Jacob Kuhn for the money Expended by him for the purchase of Wood Coal &c. for the use of the General Court over and above the sum of twenty four pounds paid him by the Treasurer pursuant to a Resolve passed June 18th 1791, . . . . .	2	8	5½
	£.30	4	5½

Read & accepted, & thereupon *Resolved* that his Excellency the Governour with the advice of Council, be & he hereby is requested to issue his Warrant on the Treasury for the payment of the several Towns & Persons borne on this Roll, the sum set against such Towns & Persons respectively, amounting in the whole to Thirty pounds four shillings & five pence three farthings.

*June 30, 1792.*

# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF  
*SUFFOLK*, ON WEDNESDAY THE THIRTIETH DAY OF  
*MAY*, ANNO DOMINI, 1792; AND FROM THENCE CON-  
TINUED BY PROROGATION AND PROCLAMATION TO  
WEDNESDAY, THE SEVENTH DAY OF *NOVEMBER*, AT  
*CONCORD*, IN THE COUNTY OF *MIDDLESEX*.

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1792. — NOVEMBER SESSION.

ADDRESS OF BOTH HOUSES OF THE LEGISLATURE IN ANSWER  
TO THE GOVERNOR'S SPEECH OF NOVEMBER 7, 1792.\*

*May it please your Excellency,*

We have to acknowledge your attention to the safety and comfort of those Members of the Legislature, who might have been exposed to suffer by any remains of infection from the contagious disease, which has lately visited the Metropolis; and acquiesce in the reasons of your Excellency for convening the General Court in this place.

The necessity, which appears, of another Session of the Legislature in the present year, in order to accomplish the proposed Valuation, with the unavoidable inconveniencies of our present situation, will probably induce a speedy recess; which we shall request of your Excellency, as soon as the Choice of Electors of the President and Vice-President of the United States, and some measures which may be thought essential to the prosecution of the public business in the ensuing Session, shall be completed. We shall be, as your Excellency anticipates, thus

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\* Not printed in previous editions.

prevented from attending at this time, to the other important subjects which you have suggested to our consideration.

The Propriety of the Commonwealth's becoming interested in the Union-Bank, and the advantages which may be derived from that connection, will deserve the attention of the Legislature, when an opportunity shall offer for a full discussion of the subject.

We shall ever join with your Excellency in expressing a just indignation at any insult to the laws of the Commonwealth; and in this light we must view the breach, which you suggest, of the statute provided against Stage-Plays and other Theatrical Entertainments, a statute, which we esteem an important and needful preservative, of the prudent habits, and morals, of the Citizens of this Commonwealth. If any defect should be found in that statute, as applied to present circumstances, we shall endeavour to remedy it.

We fully accord with your Excellency in your observations upon the many inestimable advantages of a Grand-Jury in a free Country, which, both in the protection of innocence, and in the punishment of Offences, is the surest bulwark of personal liberty and safety. This important institution will claim the attention of the Legislature at the earliest opportunity; and we would especially endeavour to prevent every possible corruption, in the general practice upon it.

It is our intention to expedite, by every means in our power, the public business necessary to be undertaken at this time; and your Excellency's presence with us, which we regard with pleasure as an evidence of your better health, will greatly aid us in this design.

*November 10, 1792.*

## Chapter 1.

RESOLVE ON THE PETITION OF JOHN STONE, ESQ. AND JOHN HAVEN.

On the Petitions of John Stone Esqr. & John Haven, both of Holliston in the County of Middlesex, praying that they may be Licenced as Innholders; for reasons Set forth in the Said Petitions.

*Resolved*, that any two Justices of ye Peace, *Quorum unus*, within the said County, be, and they are hereby



impowered to Licence the said John Stone & John Haven, Innholders in the said town of Holliston, untill the Next term for granting Licences in the said County: they complying with the requisitions of Law which respect Licenceing Innholders any Law to the contrary notwithstanding.

*November 10, 1792.*

### Chapter 1A.\*

ORDER ON THE PETITION OF JACOB PENNIMAN AND OTHERS.

On the petition of Jacob Penniman and others praying that certain lands mentioned in their petition lying on and near Neponset river, so called, may be incorporated into a general field.

*Ordered* that Seth Bullard esqr. one of the petitioners named in said petition, notify all, and every of the non-subscribing owners of lands lying within the limits described in said petition, by serving them with an attested copy of their petition and this order thereon fifteen days at least before the second Wednesday of the next sitting of the General Court, that they may then appear and shew cause, if any they have, why the prayer of the said petition should not be granted.

*November 9, 1792.*

### Chapter 2.

RESOLVE REFERRING ALL MATTERS TO THE NEXT SESSION.

*Resolved*, That all matters & things whatever, which were referred by the Legislature, at the last session of the general Court, to any particular Day in this session, be further referred to the next session of the general Court, & to such Day therein, as was appointed therefor in this session; & that all Executions that were ordered in the said last session, to be staid untill this session, or to any particular Day in this session, be further stayed untill the next session of the general Court, & unto such day in the said next session, as was directed therefore in this session; & that all persons who in the said last session, were directed to shew Cause against granting the prayer of any petition, at this session, or on any particular Day in this session, have the same Day in the said next session as was appointed therefore in this session,

\* Not printed in previous editions. Taken from court record.

any thing in any resolution of the general Court, passed at their last session, to the contrary notwithstanding. And the Secretary is directed to publish this Resolve in the public News Papers, as soon as may be.

*November 10, 1792.*

### Chapter 2A.\*

RESOLVE APPOINTING JOSEPH B. VARNUM, ESQ. ONE OF THE COMMITTEE ON THE PEJYPSCUT CLAIM.

*Resolved* that Joseph B. Varnum Esqr. be & he is hereby appointed one of the Committee, (in the room of Abel Wilder Esqr. deceased) who by a Resolve of the 21st of Feby. last were directed to consider the subject of the Pejypscut claim.

*November 10, 1792.*

### Chapter 3.

RESOLVE ON THE PETITION OF JAMES PRESCOTT, ESQ. AND JACOB LAKIN PARKER.

On the petition of James Prescott Esqr. & Jacob Lakin Parker Administrators &c.

*Resolved*, that for reasons Set forth in said petitions, the Honble. Oliver Prescott Esqr. Judge of Probate for the county of middlesex be & he is hereby impowered to appoint commissioners to receive & Examine the Several claims on the Estates of Jacob Gragg and Nathaniel Parker late of Groton deceased — The Expiration of eighteen month since the first appointing commissioners on those Estates notwithstanding. *November 12, 1792.*

### Chapter 4.

RESOLVE ON THE PETITION ON JOHN WAIT ESQ.

On the petition of John Wait, Esqr. Sheriff of the County of Cumberland, praying a longer time may be allowed him to discharge the [the] Sum of three hundred & fifty pounds Nineteen Shillings being the balance due on Sundry Executions in favour of the Commonwealth returned satisfied by said Wait.

*Resolved* that the said John Wait, Esqr. be allowed twelve months from the passing this Resolve for him to discharge the aforesaid Sum of three hundred & fifty

\* Not printed in previous editions.

pounds Nineteen Shillings Provided the Said Wait, give bonds with sufficient Sureties, to the Treasurer of this Commonwealth for the payment of the aforesaid Sum, and lawful Interest thereon, at the expiration of said twelve months and the Treasurer is directed to govern himself accordingly.

*November 13, 1792.*

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### Chapter 5.

RESOLVE ON THE PETITION OF TIMOTHY EDWARDS ESQ.

On the petition of Timothy Edwards in behalf of the inhabitants of the town of Stockbridge.

*Resolved* That the Treasurer of this Commonwealth do not issue his warrant of distress against the assessors of said town for default which they may make in not assessing agreeably to his warrant of the 30th of August last the sum of two hundred and fifty seven pounds five shillings and one penny being a tax ordered to be assessed and levied by the General Court of the commonwealth aforesaid at their sessions began and held on wensday the 31st day of May 1787 untill the first day of December 1793 — Provided the aforesaid inhabitants pay into the treasury of this Commonwealth the sum of ninety pounds upon or before the first day of December next.

*November 13, 1792.*

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### Chapter 6.

RESOLVE ON THE PETITION OF JOSEPH HOOKER.

On the Petition of Joseph Hooker a Collector of Taxes in the town of Greenwich for the Year one thousand seven hundred & seventy one, shewing that he stands charged on the Book of the Treasury of this Commonwealth with the sum of Seventeen Pounds eighteen shillings & six pence which was originally made payable to the late Treasurer Gray, & praying to be discharged therefrom, for Reason in the said Petition mentioned, & it appearing to this Court that the said sum hath been paid by the Petitioner — therefore

*Resolved* that the Treasurer of this Commonwealth be & he hereby is authorised & directed to credit the said Collector the aforesaid sum of Seventeen Pounds eighteen shillings & six-pence & fully discharge him therefrom.

*November 13, 1792.*

**Chapter 7.**RESOLVE FOR ADJOURNING THE COURT OF COMMON PLEAS  
AT WORCESTER.

Whereas it appears to be expedient that the Courts of Common Pleas & General Sessions of the Peace which by Law are to be holden at Worcester in & for the County of Worcester on the first Tuesday of December next should be adjourned: Therefore

*Resolved* That the Courts of Common Pleas & General Sessions of the Peace by Law to be holden at Worcester within & for the County of Worcester on the first Tuesday of December next, be & the same Courts are hereby adjourned to the third Tuesday of the same December then to be holden at Worcester within & for the County of Worcester aforesaid. And all Writs processes & Recognizances & appeals issued taken & made returnable to said Courts or either of them and all matters causes and things that might have day or that might be had moved or done at in or by said Courts or either of them, shall be returnable to & may be entered prosecuted had moved & done at in & by the said Courts at the time hereby appointed for holding the same. And the Secretary is directed as soon as may be to cause this Resolve to be published in the Boston Independent Chronicle & in the Worcester Gazette three Weeks successively.

*November 16, 1792.*

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**Chapter 8.**

## RESOLVE FOR THE PAY OF THE LEGISLATURE.

*Resolved*, that there be allowed & paid out of the treasury of this Commonwealth to each of the Members of the Honorable Council Seven Shillings & six pence, to each of the Members of the Senate Seven Shillings & to each of the Members of the House of Representatives Six Shillings & six pence per day for each days attendance & a like sum for every ten miles travel.

*And be it further Resolved* that there be allowed & paid as above to the Honorable Samuel Phillips Esq. President of the Senate & to the Hon. David Cobb Esq. Speaker of the House of Representatives Six Shillings for every days attendance over & above their pay as Mem-

bers of the Legislature as above stated & that the Treasurer of the Commonwealth be & he hereby is directed & ordered to pay the respective Members accordingly out [out] of the money in the Treasury not already appropriated upon his receiving a Warrant therefor, from His Excellency the Governor with advice of Council.

*November 13, 1792.*

### Chapter 9.

#### RESOLVE ON THE PETITION OF JOHN REED JOSSELYN.

On the Petition of John Reed Josselyn late of Hanover in the County of Plymouth praying that the present Judge of Probate for Said County may be authorized to take into Consideration & allow, if He shall see fit, his Claim against the Estate of Phillip Josselyn deceass'd.

*Resolved* That the prayer of the Petition be granted & that the Said Judge of Probate is hereby authorized to take into Consideration the Claim of the said Petitioner against the Estate of the said deceased by appointing Commissioners to examine the same, & to allow, if to Him it shall seem just, that the said petitioner shall be put upon the same footing with the other Creditors of said Estate, provided it can be done out of any Dividend that is yet to be made of the Estate of the said deceased.

*November 13, 1792.*

### Chapter 10.

#### RESOLVE ON THE PETITION OF JOSEPH JOSSELYN JR.

On the Petition of Joseph Josselyn jr. of Pembroke in the County of Plymouth, praying that the present Judge of Probate for Said County, may be authorized to take into Consideration & allow if He shall see fit, his Claim against the Estate of Phillip Josselyn deceased.

*Resolved* that the prayer of the pe[tit]ion be granted & that the said Judge of Probate is hereby authorized to take into Consideration the Claim of the Said Petitioner against the Estate of the Said deceass'd by appointing Commissioners to examine the same; & to allow, if to Him it shall seem just, that the sd. Petitioner shall be put upon the same footing with the other Creditors, provided it may be done out of a second Dividend of the Estate of the Sd. deceass'd.

*November 13, 1792.*



## Chapter 11.

## RESOLVE ON THE PETITION OF SAMUEL BAKER ESQ.

On the Petition of Samuel Baker Esqr. one of the Executors of the Last will and Testament of Daniel Greenleaf Junr. Late of Bolton in the County of Worcester Physicion Decsd. praying for leave to make sale of the Real Estate of the said Daniel Laying in Bolton aforesaid.

*Resolved* that the prayer thereof be granted and that the said Samuel Baker in his said Capacity be and he is hereby Authorized to make sale of two Thirds of the Real Estate of the said Daniel Greenleaf together with the reversion of the widows dower in said Estate for the most the same will fetch and to make and Execute good and Lawfull Deed or Deeds of Sale and Conveyanc of the same the said Baker first giving Bond to the Judge of Probate for the County of Worcester to observe the rules & directions in the Law for the sale of Real Estates by Executors & administrators, and to apply the proceeds of said sale to satisfy the Claim against said Estate and Costs arrising thereby, and to Acco[u]nt with the said Judge for the remander if any there be.

*November 13, 1792.*

## Chapter 11A.\*

## ORDER ON THE PETITION OF ICHABOD BENSON.

On the petition of Ichabod Benson praying for the confirmation of the doings of the late Judge of Probate of wills &c. for the County of Plimouth in the settlement of the estate of Joshua Benson late of Middleborough in said County deceased.

*Ordered* that the petitioner serve the heirs at law of the said Joshua with an attested copy of said petition with this order thereon fourteen days before the second Wednesday of the next session of the General Court, that they may appear on said second Wednesday, and shew cause if any they have, why the prayer of said petition should not be granted.

*November 13, 1792.*

\* Not printed in previous editions. Taken from court record.

**Chapter 12.**

## RESOLVE ON THE PETITION OF DAVID BIGELOW.

On the petition of David Bigelow of Worcester in the County of Worcester, praying to be discharged from the sum of twenty six pounds, eight shillings, remaining in his hands, out of monies which he received of the Treasurer of this Commonwealth in paper money in the Year 1777.

*Resolved* for reasons set forth in the said petition, that the petitioner be directed to return the said paper money, being the sum of twenty six pounds, eight shillings, into the Office of the Treasurer of this Commonwealth, & the Treasurer is hereby directed to give his receipt for the same;—which receipt shall be a full discharge of the claim of this Commonwealth against the said Bigelow, for the sum aforesaid.—And the said Bigelow is further directed to return into the said Office his receipt for money paid certain Individuals for Guns, to the amount of sixteen pounds, thirteen shillings & nine pence; which together with the aforesaid sum of twenty six pounds, eight shillings, shall be a full discharge of the sum he received of the Treasurer aforesaid, being forty three pounds, fourteen shillings & nine pence.

*November 14, 1792.*

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**Chapter 13.**RESOLVE FOR ADJOURNING THE COURTS OF COMMON PLEAS  
AND GENERAL SESSIONS OF THE PEACE.

Whereas inconveniencies may arise, if the Court of General Sessions of the peace, & Court of Common pleas, should be holden in the County of Middlesex, on the last Tuesday of the present month, by reason of the appointment of the publick Thanksgiving: Therefore

*Resolved*, that the Court of General Sessions of the peace, & Court of Common pleas, by Law to be holden at Cambridge, within & for the County of Middlesex, on the last Tuesday of November current, be, and they hereby are adjourned to the second tuesday in December next, then to be holden at Cambridge, within & for the County of Middlesex aforesaid; and all Writs, processes & recognizances returnable to, & all appeals made to said Courts, to be holden on the said last Tuesday of Novem-

ber; and all matters, causes & Things, which might have day, or Which might be moved or done, at in or by the said Courts, if held on the said last Tuesday of November aforesaid, shall be returnable to, and may be entered, prosecuted, had, moved & done, at, in & by the said Courts at the time hereby appointed for holding the same.

*Resolved further* that the Secretary be & hereby is directed to cause this Resolve to be published in the Independent Chronicle as soon as may be.

*November 14, 1792.*

### Chapter 14.

#### RESOLVE ON THE PETITION OF THOMAS HODGDON.

On the Petition of Thomas Hodgdon setting forth that he has not been paid for a qu[*a*]ntity of provisions supplied the Troops at Edgcomb in the year 1781.

*Resolved*, that the Account of the said Thomas Hodgdon be laid before the Committee on Accounts who are impowered to allow the same or such part thereof as shall appear to them to be justly due.

*November 15, 1792.*

### Chapter 15.

#### RESOLVE ON THE PETITION OF ABEL ABEL.

On the petition of Abel Abel.

*Resolved* that Wm. Jernigan and Benjn. Bassett Esqrs. be and they hereby are authorized and empowered in behalf of said Abel to liquidate and adjust all the debts now due and owing from said Abel to any person or persons, and which have been contracted agreeably to the laws of this Commonwealth, and having done the same, the said Jernigan and Bassett are hereby authorised and empowered to sell and dispose at publick auction of so much of the said Abel's real estate as will pay the amount of said debts and charges of sale — provided the whole so sold shall not exceed sixty pounds and that the said Jernigan & Bassett shall observe all the rules and regulations prescribed by law to be observed by executors and administrators in the sale of real estate; and they are hereby directed to render an account of their proceedings herein to the Governor & Council who are hereby authorised to make them reasonable allowance for their services.

*November 16, 1792.*

**Chapter 15A.\***

LISTS TO BE CERTIFIED BY THE GOVERNOR AND DELIVERED  
TO ELECTORS OF PRESIDENT AND VICE PRESIDENT.

Whereas by a Resolve passed on the thirtieth day of June last for districting the Commonwealth for the purpose of choosing Electors of President, of Vice President, no provision is made for certifying to the Government of the United States, the choice of such Electors, or their doings as such :

Therefore *Resolved* that, the Governor of this Commonwealth be, and he hereby is requested to cause three lists of the persons chosen Electors, as aforesaid, to be fairly made out, and the same by him duly certified, to be delivered to the persons so chosen Electors, on or before the first Wednesday in December next, that they may be able to make such Certificates of the votes that may be given by them, and return the same in manner as they are directed by a law of the United States in that case provided.

*November 16, 1792.*

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**Chapter 16.**

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS  
FOR THE COUNTY OF LINCOLN.

Whereas the Treasurer of the County of Lincoln has laid his accounts before the General Court in manner by Law prescribed, which accounts are hereby allowed — and whereas the Clerk of the Court of General Sessions of the peace, for the said County, has Laid before the general Court, an estimate made by the Court of General Sessions of the peace of the necessary charges likely to arise with in the said County the current year amounting to the sum of eight hundred & ninty four pounds one shilling & one peney :

*Resolved* that the sum of eight hundred and ninty four pounds one shilling & one peney be, and is hereby granted as a tax for the said County of Lincoln to be apportioned, assesed, collected and [and] applied in manner agreeable to Law.

*November 16, 1792.*

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\* Not printed in previous editions. Taken from court record.

### Chapter 17.

#### RESOLVE ON THE PETITION OF JOSEPH TUCKER.

On the petition of Joseph Tucker, praying that the bonds of Benjamin Darling may be Assigned him and that he may receive what has been Collected on said bonds.

*Resolved* that the Attorney General Cause a *Scire Facias*, to Issue Against Benjamin Darling as principle — for twenty five pounds and also another *Scire Facias* against Samuel Bartlett one of said Darlings Sureties for Twelve pounds Ten Shillings with Costs and that the avails be paid to the said Joseph Tucker — or his order —

*And it is further Resolved* that the Treasurer of this Commonwealth pay unto the said Joseph Tucker Twelve pounds Ten Shillings being part of said bonds received of Jesse Harlow one of said Darlings Sureties provided the Attorney Genl. has recd. it — and his Excellency the Govenour with Advice of Council is requested to grant his warrant on the Treasurer for payment thereof.

*November 16, 1792.*

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### Chapter 18.

#### RESOLVE ON THE PETITION OF JAMES STEWART.

On the Petition of James Stewart.

*Resolved* for Reasons set forth in said Petition that the Committee for methodizing public Accounts be & hereby are directed to Certify to his Excellency the Governor and Council the sums due to Benjamin Read Late Lieut. in Colo. Brooks and Late Aldens Regiments and the Governor with advice of Council is requested to Draw his Warrant on the Treasr. for the Sum due to the Widow & Orphans of Benjamin Read in the same way that has been used in paying others under similar circumstances.

*November 16, 1792.*

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### Chapter 19.

#### RESOLVE ON THE PETITION OF HANNAH EATON.

On the Petition of Hannah Eaton, Administratrix of the Estate of Jeremiah Eaton, late of Reading in the County of Middlesex, Housewright deceased — For Reasons sett forth in said Petition.



*Resolved*, That the prayer of said Petition be so far granted, That the said Hannah in her said Capacity, be and she is hereby authorized and empowered, to make, seal and Execute a deed of Release, of all the Right, Estate and Interest of William Eaton, Polly Eaton, and Sally Eaton, Children, Minors, and three of the Heirs at law of said Jeremiah deceased, of, in and to all that part of those lands in said Reading which said deceased in his lifetime purchased in Partnership with Samuel Herrick, William Whittridge & Joseph Burnap, which said deceased in his lifetime agreed to divide with the said Herrick, Whittredge & Burnap, and which by said Agreement were to be released to them by said deceased — Provided said Herrick, Whittredge & Burnap shall by a proper deed or deeds Release all their Right, Interest and Estate of, in & unto those Lands, which by said Agreement were to be released to said deceased; so as to Convey to said William, Polly & Sally their full proportion of said Lands in the same manner, as if the Deeds of Release aforesaid, had been duely executed in the lifetime of said Jeremiah Eaton deceased.

*November 16, 1792.*

### Chapter 19A.\*

#### ORDER ON THE PETITION OF THE SELECTMEN OF THE TOWN OF COXHALL.

On the petition of Heber Kimbal, Joseph Roberts junr. and Robert Swanson, Selectmen of the town of Coxhall, and others, inhabitants of said town praying that they may be quieted in the possession of their lands, and that they may be comprehended within a Resolve of twenty fourth of June 1789, and may have liberty to purchase of the Committee or otherwise.

*Ordered* that the said Selectmen cause said petition to be published in the Independent Chronicle, and the Eastern Herald three weeks successively, at least thirty days before the fourth Wednesday of the next sitting of the General Court, that the proprietors of said township, or any other person may appear and shew cause, if any they have, on the said day, why the said petitioners should not be quieted in the possession of their land.

*November 16, 1792.*

\* Not printed in previous editions. Taken from court record.

**Chapter 20.**

## RESOLVE ON THE PETITION OF JOSEPH LOPEZ.

On the Petition of Joseph Lopez, praying the Judge of Probate for the County of Worcester may be Authorized, to give a further time to the Commissioners, appointed by said Judge to examine the Claims of the Creditors of the Estate of Aaron Lopez deceased.

*Resolved*, for reason set forth in said Petition, that the Judge of Probate, for the County of Worcester be, & hereby is authorized and directed, to extend the Commission, of Joseph Russell Junr. Merchant, and Christopher Gore Esqr. both of Boston in the County of Suffolk, and Walter Channing of Newport in the State of Rhode Island, Commissioners appointed to examine the Claims to the aforesaid estate, for the Term of Nine Months, from the passing this Resolve, to receive & examine said claims and report thereon to the aforesaid Judge of Probate accordingly, any Law or Resolve to the contrary notwithstanding.

*November 16, 1792.*

**Chapter 21.**

## RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF DUKES COUNTY.

Whereas the Treasurer of the County of Dukes County has laid his Accounts before the General Court in manner by Law prescribed which accounts are hereby allowed: And whereas the Clerk of the Court of General Sessions of the Peace for the said County of Dukes County has laid before the General Court an Estimate made by the Court of General Sessions of the Peace of the necessary charges which are likely to arise in said County the Current Year amounting to the Sum of two hundred & eighty Pounds:

*Resolved* that the Sum of two Hundred & eighty Pounds be & is hereby granted as a Tax for said County of Dukes County to be apportioned assessed collected & applied in Manner provided by Law.

*November 16, 1792.*

**Chapter 22.**

## RESOLVE ON THE MEMORIAL OF THE MANAGERS OF THE STATE-LOTTERY.

On the Memorial of the Managers of the State-Lottery, representing that the last class of said Lottery remains

unsettled, in consequence of a difference of opinion entertained by the present Treasurer upon the construction of the Law granting the Lottery; and requesting the direction of the Legislature thereon.

*Resolved* that, the Treasurer, settle the Accounts of the said Managers for the last Class as has been practised respecting the other Classes of the said Lottery, upon the principle of allowing their commission upon all the Tickets — and that he deliver to each of the said Managers his Bond upon his paying the sum so found to be due from him to the Commonwealth.

*November 16, 1792.*

### Chapter 22A.\*

#### ORDER ON THE PETITION OF CHARLES BARRETT.

On the petition of Charles Barrett, praying for liberty to erect certain Locks in Georges river in the County of Lincoln.

*Ordered* that the petitioner give public notice thereof, by causing an attested copy of his petition with this order thereon, to be published in the Independent Chronicle, printed in Boston, and the Eastern Herald, printed in Portland, three weeks successively, the last publication to be twenty days before the third Wednesday of the next sitting of the General Court, in order that any person concerned may then shew cause, if any cause he may have, why the prayer of the said petition shall not be granted.

*November 16, 1792.*

### Chapter 23.

#### RESOLVE DIRECTING THE ATTORNEY-GENERAL AND JOHN DEMMING TO LIQUIDATE AND SETTLE THE OUTSTANDING DEBTS OF THIS COMMONWEALTH.

Whereas by representation made heretofore by the Committee for methodizing public Accounts divers balances appear to be due to this Commonwealth, some of which may not be justly due, or satisfied in part, & it is necessary that measures be taken to adjust & settle the same :

*Resolved* that the Attorney General Treasurer of this Commonwealth & John Demming be & they hereby are fully authorized & empowered to enquire into the premises, & they or any two of them are hereby authorized to make reasonable Allowances to any persons from whom any such balances appear to be due for necessary Expen-

\* Not printed in previous editions. Taken from court record.

ditures & Charges in transacting the public business committed to their care, & to liquidate & settle the accounts existing between such persons & the Commonwealth, & to make execute & deliver to them sufficient discharges in behalf of the Commonwealth on their paying to the Treasurer the ballances by them respectively due if any, & that they compleat the same business as soon as may be, & lay a particular statement of their doings by virtue hereof before the General Court.

*And be it further Resolved*, that the Attorney General be & hereby is directed to take all suitable measures by Law processes or otherwise to compel payment of all such ballances as on enquiry may appear to be due to the Commonwealth, to the end that the same business may be finished as soon as may be. *November 16, 1792.*

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### Chapter 24.

RESOLVE ON THE PETITION OF CAPT. JOSEPH LAUGHTON.

On the petition of Joseph Laughton praying to be reinstated in the command of the independent Company of Fusileers at Boston.

Altho' this Court are sensible of the absolute necessity of a strict obedience to military order; & are convinced of the propriety of the proceedings of the Court Martial held at Milton on the 14 of August last for the trial of sd. Laughton for disobedience of orders on the 4th of July last. Yet as the sd. Laughton has applied to this Court to be restored, & the Members of the Court Martial have recommended his restoration, & in consideration of the sd. Laughton's having been an attentive & useful officer — therefore

*Resolved*, that the sentence of the Court Martial, held at Milton on the fourteenth day of August last, against Joseph Laughton Captain of the Independent Company of Fusileers in Boston, be and hereby is reversed.

*November 17, 1792.\**

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### Chapter 24A.†

ORDER ON THE PETITION OF BENNETT WOOD.

On the petition of Bennett Wood.

*Ordered* that the petitioner notify the inhabitants of the town of Littleton, by leaving an attested copy of said

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\* Approved November 17, 1792.

† Not printed in previous editions. Taken from court record.

petition with this order thereon, with the town Clerk of said town of Littleton, thirty days at least before the second Wednesday of the next Session of the General Court, that they may then appear & shew cause if any they have, why the prayer of said petition should not be granted.

*November 16, 1792.*

### Chapter 25.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF BERKSHIRE, AND GRANTING A TAX.

Whereas the Treasurer of the County of Berkshier has laid his Accounts befor the General Court in Manner by Law prescribed which Accounts are hereby allow[ed] — And whereas the Clerk of the Court of General Sessions of the peace for the said County of Berkshier has laid before the General Court an Estimate made by the said Court of General Sessions of the peace of the necessary Charges which will be Likely to arise in said County the current year Amounting to the sum of Eight hundred pounds:

*Resolved* that the Sum of eight hundred pounds be and is hereby Granted as a Tax for said County of Berkshier to be apportioned assessed Collected and applied in manner provided by Law.

*November 17, 1792.*

### Chapter 26.

GRANT TO ISAAC PEIRCE, OF EIGHTEEN POUNDS, TO PURCHASE NECESSARIES FOR THE COUNCIL CHAMBER AND SECRETARY'S OFFICE.

*Resolved* that there be paid out of the Treasury of this Commonwealth, the sum of Eighteen pounds to Isaac Peirce, Messenger to the Governor & Council, to enable him to purchase Fuel, Candles & other necessities for the Council Chamber & Secretary's Office — he to be accountable for the expenditure of the same & that His Excellency the Governor be requested with the advice of Council to issue his warrant upon the Treasurer for the same.

*November 17, 1792.*

### Chapter 27.

GRANTS TO THE CHAPLAIN AND CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES.

*Resolved* that there be allowed & paid out of the public Treasury to the Revd. Ezra Ripley for his services as



chaplain to the two Houses the present session the sum of five pounds — to Samuel Cooper Esq. Clerk of the senate sixteen pounds & to Henry Warren Esq. Clerk of the House of Representatives sixteen pounds on account of their services the present year as Clerks aforesd. they to be accountable for the same respectively.

*November 17, 1792.*

### Chapter 28.

GRANT OF FOUR POUNDS, TO DANIEL COWEN.

*Resolved* that there be allowed & paid out of the Public Treasury of this Commonwealth to Daniel Cowen the sum of Four pounds in full for his services as Messenger to the Senate the present Session of the Genl. Court.

*November 17, 1792.*

### Chapter 29.

GRANT TO JOSEPH SEWELL EMERSON.

*Resolved*, That there be allow'd, & paid out of the Treasury of this Commonwealth the sum of fifteen pounds to Joseph Sewall Emerson, for the improvement of his Rooms for the accommodation of the Senate, & the Committees of the General Court, also for fuel & Candles furnish'd the Senate, & said Committees during the present session, — which sum is in full of all demands for the above purposes.

*November 17, 1792.*

### Chapter 30.

RESOLVE AUTHORIZING SAMUEL BAKER, JOHN FESSENDEN AND JOSIAH STEARNS, ESQUIRES, TO ASCERTAIN THE SHORTEST AND MOST CONVENIENT PLACE FOR A PUBLIC ROAD FROM BOSTON TO WORCESTER, AND MAKE REPORT.

Whereas Samuel Baker, John Fessenden & Josiah Stearns Esqrs. were appointed a Committee by a Resolve of the Genl. Court passed the 8th of June 1792 to ascertain by survey or otherwise the shortest & most convenient place for a public road from the Town of Boston to the Town of Worcester, & also to consider the expediency of altering the present established post road between said Towns & to make report of their doings to the Genl. Court at their next session — And whereas said Commit-

tee have been necessarily prevented from performing said Service within the time limited by reason of the small pox being on the Road :

*Resolved* that the aforesaid Saml. Baker, John Fessenden, & Josiah Stearns Esqrs. be & they hereby are authorized & empowered to ascertain by survey or otherwise the shortest & most convenient place for a public road from the Town of Boston to the Town of Worcester and also to consider the expediency of altering the present established post road between said Towns & to make report to the General Court of their doings as soon as they can with Conveniency.

*November 17, 1792.*

### Chapter 31.

RESOLVE GRANTING EXTRA PAY TO COMMITTEE ON ACCOUNTS.

*Resolved* that there be allowed and paid out of the publick Treasury of this Common-wealth in the same manner the members of the general Court are paid for their travil and attendance the present session to the Committee appointed to Examine and pass on accounts for their service on the said Committee the following sums in addition to their pay as Members of the legislature *viz*—to the Honorable Joseph Hosmer Esqr. for nine days attendance the sum of thirteen shillings & six pence.

To the Hon. Stephen Metcalf Esqr. for nine days attendance the sum of thirteen shillings & six pence.

To Benjamin Read Esqr. for nine days attendance the sum of thirteen shillings & six pence.

To Josiah Stearns Esqr. for five days atten[d]ance the sum of seven shillings & six pence.

and to Enoch Titcomb Junr. Esqr. for six days attendance the sum of nine shillings— which sums shall be in full for their service aforesaid.

*November 17, 1792.*

### Chapter 31A.\*

ORDER ON THE PETITION OF JOHN WESSON AND OTHERS.

On the petition of John Wesson, William Parker & Zadock Richardson praying that certain lands in said petition mentioned lying in the first parish in Reading may be annexed to the west, or third parish in said Reading.

\* Not printed in previous editions. Taken from court record.

*Ordered* that the petitioners notify the inhabitants of the said first parish in Reading, by leaving an attested copy of the said petition and of this order thereon with the Clerk of the same Parish forty days before the second Wednesday of the next sitting of the General Court, to appear on the said second Wednesday & shew cause if any they have, why the prayer of said petition should not be granted.

*November 17, 1792.*

### Chapter 32.

GRANT OF THIRTY POUNDS TO THE SECRETARY, TO DEFRAY THE EXPENSE OF THE ROOM OF THE COUNCIL, AND OTHER EXPENSES AT CONCORD.

*Resolved* that his Excellency the Governor with the advice & consent of Council be requested to issue his warrant on the Treasurer of the Commonwealth in favor of the Secretary for the Sum of Thirty Pounds, in order to defrey the expences of the room for the Council & the offices of the Seery. & the Treasurer — the Secretary to be accountable for the same.

*November 17, 1792.*

### Chapter 33.

RESOLVE ON THE PETITION OF DAVID BROWN AND LOAMMI BALDWIN.

Upon the Petition of David Brown & Loammi Baldwin a Committee of the Proprietors of Flintstown (so calld) Lying on the East side of Saco River in the County of Cumberland — Praying that some remedy may be Provided for an omission in their Records of a Certain Vote for quieting the Settlers, of the Lots No. 1. & No. 2. called Pond Lots; and the following Lots *vizt.* No. 1. No. 4. No. 5. No. 8. & No. 16, in the second Range West. Lots No. 7. No. 8. No. 14. & No. 15. in the third Range West. Lot No. 2. in the fifth Range and Lot No. 1. in the sixth Range West, which Passd in the year 1780 and was not recorded.

*Resolved* that the Persons who have taken up Land in said Township & been Cons[*i*]dired by the Proprietary as Settlers & have made improvements & done the duty required by the proprietors, be & they hereby are quieted & Confirmed in the Possession of the Lots of Land designed for their Use by the Proprietors notwithstanding the omission in the Records aforesaid.

And all such Persons or Proprietors as have in the division in said Township drawn or become Propriators of such settlers lots shall be Compensated by an equivalent in other Lands in said Township and in case of disagreement the equivalent shall be determined by three discreet disinterested Persons one to be Chosen by the Parties mutually if they can agree and one by each of the parties Separately & if it shall so happen that the Parties cannot agree upon the first person as is here preposed, Then & in that case the third person may be appointed by the two persons chosen by the Seperate Parties and the Referees thus appointed upon due notice given to all concerned shall proceed to Consider Judge & determine upon an equivalent in other Lands as aforesaid & make Report thereof to said Propriatory which report shall be Recorded in the Propriators Book and shall ever after be taken and Considered to be a good & Sufficient title for said Lands. And whereas Lots No. 7 & 8 in the 4th Range West were Drawn in said Draught for the first minister that should be Settled in said Town notwithstanding they were then necessary & have since been appropriated to the Use of a Saw mill which is to be kept in Repair for the Use of the Inhabitants for the term of Ten years: Therefore

*Resolved* that such other Lands be laid out in said Flintstown, & appropriated to the use of the first Minister in lieu of said Lots No. 7 & No. 8, in the fourth Range West, as in the opinion of a Committee, to be appointed by the Court of Common Pleas for the County of Cumberland, shall be an equivalent. *November 17, 1792.*

### Chapter 34.

#### ROLL NO. 25.

The Committee on Accounts, having examined the Accounts they now present — *Report* that there is due to the Towns and Persons hereafter mentioned, the sums set against their names respectively, which if allowed and paid, will be in full discharge of said Accounts to the dates therein mentioned.

JOSEPH HOSMER *per. Order.*

*Expences for maintaining the poor of the Common-wealth.*

To the Town of Boston for supporting sundry persons, States Poor from 1 June to 1 September 1792, . . .	£	s.	d.
	293	0	1
To Samuel Whitwell, keeper of the Almshouse in Boston for taking care of the States Poor from 1 June to 1 September 1792, . . .	26	13	8
To the district of Boxborough for supporting John Kennedy & Wife from 2 June to 3 November 1792, .	9	18	6
To the Town of Dracut for supporting John Hancock & Wife from 10 January to 13 November 1792, . .	15	18	7
To Doctor William Eustis for Inoculating with the Small Pox 87 persons on Castle Island, & attendance — committed by Order of Court, . . .	52	4	0
To the Town of Easton for supporting Abigail Honeybrooks from 16 January to 9 November 1792, . . .	14	12	3
To Joseph Hosmer for supporting Daphne an African from 20 June to 14 November 1792 by order of Court, . . .	6	10	6
To the Town of Lanesborough for supporting Samuel Harrison & Son from 7 May 1791 to 7 May 1792, .	34	3	0
To the Town of Monson for supporting James Johnson from 19 April to 17 July 1792, . . .	3	16	3
To the Town of Reading for supporting Samuel Bancroft from 25 Jan'y. 1790 to 25 Jan'y. 1792, by Resolve of Court, . . .	33	12	0
To the Town of Spencer for Supporting Robert Griffin from 11 August, 1791 to 30 Jan'y. 1792, . . .	9	18	2
To the Town of Sherborn Nantucket for supporting Adam Ryley 16 Weeks to 13 June 1792, with a broken bone, . . .	10	0	0
To the Town of Taunton for supporting Alexander Smith from 2 February 1791 to 1 November 1792, .	15	3	9
	£.525	10	9

*Expences of the Militia — vizt.*

for a Detachment of the Militia doing duty on Castle Island from the 9th to the 30 September 1792, while the Garrison were under Inoculation with the Small Pox, as may appear by a Roll exhibited by Lieut. Jonathan Jones — and to be paid to each Man respectively borne on said Roll, committed by Order of Court, . . .	£	s.	d.
	60	10	0
To Seth Bannister Deputy Adjutant General for his Services from 1 January to 1 November 1792 — in the 7th Division, . . .	18	8	0
To Simon Larned Dep. Adj. General for his Services from 1 November 1791 to 1 November 1792 — in the 9 Division, . . .	18	0	0
To Sampson Woods, Brigade Major for his Services from April to 6 November 1792 — in the 3 Division, .	6	18	0
To William Sever Brigade Major for his Services from March to 8 November 1792 — in the 5 Division, . .	18	0	0
	£.121	16	0



*Sheriffs Accounts, vizt.*

To Simon Larned Sheriff of the County of Berkshire for returning Votes for Electors of President & Vice P[r]esident of the United States November 1792, .	£	s.	d.
	4	8	0
To Benjamin Smith Sheriff of the County of Dukes County for returning Votes for Electors of President & Vice President November 1792, . . . . .	3	7	8
To the same Sheriff of Dukes County for returning Votes for Federal Representative in April 1792, .	1	14	4
	<hr/>		
	£.	9	10 0
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*Miscellaneous Expences for the Common-wealth — vizt.*

To Thomas Downe for repairing Chairs for the Senate Chamber by order of Court in June 1792, . . . . .	£	s.	d.
	6	16	4
To James Foster for his service in the Treasury Office from the 1 May to 10 December 1787, in preparing Treasurer Ivers books for examination, 192 Days, @ 6s. committed by Resolve of Court, . . . . .	57	12	0
To Joseph Laughton first Clerk in the Treasury Office for his services from 26 June to 13 November, 120 Days @ 10s. . . . .	60	0	0
To Isaac Peiree for supplies for the Council Chamber & Secretary's Office from 25 May to 5 Novr. 1792, . . . . .	5	18	3
To Elias Ware for 2 doz. Chairs deliver'd by order of Honble. Thomas Dawes Esqr. for the use of the Lobbies in the State House in Boston November 1792, . . . . .	6	0	0
	<hr/>		
	£.	136	6 7
	<hr/>		

*totals brought forward.*

Expences of supporting the Poor of the Common-wealth, . . . . .	£	s.	d.
	525	10	9
Expences of the Militia, . . . . .	121	16	0
Sheriffs Accounts, . . . . .	9	10	0

*whole Amount of this Roll*      £ 793    3    4

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Read & accepted, & *Resolved* that his Excellency the Governour with the advice of Council, be & he hereby is requested to issue his Warrant on the Treasury, for the payment of the several Towns, Plantations & Individuals, borne on this Roll, the sum set against such Town, Plantation, or Individual respectively, amounting in the whole to Seven hundred and Ninety three pounds three shillings & four pence.

*November 17, 1792.*



# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

TOGETHER WITH THE SPEECHES, &c. OF HIS EXCEL-  
LENCY THE GOVERNOR TO THE SAID COURT:

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUF-  
FOLK*, ON WEDNESDAY, THE THIRTIETH DAY OF *MAY*,  
*ANNO DOMINI*, 1792; AND FROM THENCE CONTINUED  
BY ADJOURNMENT TO WEDNESDAY, THE THIRTIETH  
DAY OF *JANUARY*, FOLLOWING.

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1792. — JANUARY SESSION.

### Chapter 1.

RESOLVE GRANTING £.18 IN FAVOUR OF JACOB KUHN, MES-  
SENGER OF THE GENERAL COURT, TO PURCHASE FUEL, &c.

*Resolved* that there be allowed and paid out of the  
Treasury of this Commonwealth to Jacob Kuhn Messen-  
ger of the Genl. Court the sum of Eighteen Pounds to  
enable him to purchase fuel &c. for the use of sd. Court,  
he to be accountable for the expenditure of the same.

*January 31, 1793.*

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### Chapter 1A.\*

ORDER ON THE PETITION OF MOSES WHITING AND OTHERS.

On the petition of Moses Whiting & others praying to  
be incorporated for the purpose of building a Bridge  
across Merrimack river at a place called Deerjump falls.

*Ordered* that the petitioners publish an attested copy  
of the petition aforesaid with this order thereon in the

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\* Not printed in previous editions. Taken from court record.

Independent Chronicle two weeks successively the last publication to be at least six days before the twentieth day of February instant that any person may appear on the said day and shew cause if any they have why the prayer of the said petition should not be granted.

*February 1, 1793.*

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### Chapter 2.

RESOLVE ON THE PETITION OF HANNAH TITCOMB, CALEB TITCOMB, AND OTHERS, AUTHORIZING THEM TO SELL AND CONVEY A CERTAIN MESSAGE.

Upon the petition of Hannah Titcomb, Caleb Titcomb, Simeon Titcomb and Others praying that the said Caleb and Simeon may be authorised to sell and convey a certain Message and lot of Land in the said petition mentioned.

*Resolved*, That for the reasons set forth in the said petition, the said Caleb Titcomb and Simeon Titcomb be and they are hereby authorised and impowered to sell and convey in fee-simple to such person or persons as will give most for the same at Public Auction, the said Message and lot of land, being situate in Newbury Port in the County of Essex and bounded South-easterly on prison-lane South-westerly on pleasant-street, North-westerly on Samuel Bayley's land and North-easterly partly on land of William Greenough and partly on land late belonging to Nathaniel Dole now deceased, and to execute and acknowledge a good and sufficient deed thereof to such purchaser. *Provided* the said Caleb and Simeon first advertize the time and place of the said Sale, in the Essex Journal printed at Newbury Port, three weeks at the least before the time of such sale. And *provided, further*, That they first give bond to the Judge of Probate for the said County of Essex and his successors in that office in a reasonable penalty and with sufficient sureties to be approved by him, conditioned, after deducting such sum as may now be due to them for the necessary repairs of the said Message, to pay the intrest of the remainder of the nett proceeds of the said Estate to Josiah Titcomb their father, annually during his life; and upon his death to pay the principal to such person and persons as would then be entitled to such house and lot of land, if the same had to that time remained unsold. *February 4, 1793.\**

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\* Approved February 5, 1793.

### Chapter 3.

RESOLVE ON THE PETITION OF WILLIAM KENT AND JUDAH THOMAS, ASSESSORS OF MARSHFIELD, FIRST PRECINCT, EMPOWERING THEM TO ISSUE WARRANTS TO SEVERAL COLLECTORS OF SAID PRECINCT, TO ENABLE THEM TO COMPLEAT THEIR COLLECTION.

On the Petition of William Kent & Judah Thomas Assessors of the first Precinct in the Town of Marshfield Seting forth that the assessors of Said Precinct have for Several years Past neglected to grant warrants to their Collectors to Enable them to Collect their taxes.

*Resolved* that the assessors for the time being are hereby Impowered & Directed to Issue warrants in due form of Law to the Several Collectors of Said Precinct to enable them to Compleat their Collections in the Same manner as they might have Done had they the Said Assessors Committed warrants in Due form of Law to Said Collectors at the time when they Committed their Bills or lists.

*February 4, 1793.\**

### Chapter 3A.†

ORDER ON THE PETITION OF EBENEZER POOR AND OTHERS.

On the petition of Ebenr. Poor and others, to be incorporated for the purpose of building a bridge over mer-rimack river, at a place called Bodwell's falls.

*Ordered* that the said petitioners publish an attested copy of the petition aforesaid and of this order in the Independent Chronicle two weeks successively, the last publication to be at least six days before the twentieth day of February instant, that any person or corporation may appear at that day, and shew cause if any they have, why the prayer of the said petition should not be granted.

*February 4, 1793.*

### Chapter 4.

RESOLVE ON THE PETITION OF THE TOWN OF DANVERS.

On the Petition of the Selectmen of Danvers. *Resolved* That the prayer of sd. Petition be so far granted as that it

\* Approved February 5, 1793.

† Not printed in previous editions. Taken from court record.



be committed to the Committee on Accounts for Examination & allowance — any Law to the Contrary notwithstanding.  
*February 5, 1793.*

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### Chapter 5.

RESOLVE ON THE PETITION OF ROBERT MORRIS, ESQ. BY HIS AGENT RICHARD SODERSTROM, ESQ. RESPECTING TWO BONDS.

*Resolved* that the Treasurer of the Commonwealth deliver up & discharge two Bonds in his possession signed by Robert Morris and Samuel Ogden, both dated May 11, 1791. One for the sum of fifteen thousand pounds payable May 11, 1796, with Interest from the 11th Day of November 1791. The other for ten thousand pounds payable May 11, 1797 with Interest from the said 11th day of November, 1791. *Provided* that the said Robert Morris or his agent or Attorney shall deliver to the said Treasurer two other bonds dated Decemr. 29, 1792, duly executed by the said Robert Morris one conditioned to pay to the said Treasurer or his Successor in Office for the use of the Commonwealth fifteen thousand pounds on or before the 11th day of May 1796, with Interest from the date of said Bond; the other Bond conditioned for the payment of ten thousand pounds to the said Treasurer or his Successor in Office for the use aforesd. on or before the 11th day of May 1797 with Interest from the said 29th day of December 1792, and shall also pay to the said Treasurer the Interest due to the said 29th Day of December on the bonds so to be delivered up, and shall also transfer to the Commonwealth One hundred and forty thousand Dollars of the funded debt of the United States bearing Interest of six per Cent. annually from the first Day of January 1801 as Collateral Security for the payment of the said two bonds dated Decem. 29 1792. The said funded debt or a sufficient sum thereof to be sold for the payment of each of the said two bonds at the period it shall become due, *provided* the same shall not have been previously discharged. And the Treasurer of the Commonwealth for the time being shall be and hereby is empowered & directed whenever the said two Bonds to be given as aforesd. shall be discharged to transfer to the said Robert Morris his Executors, Administrators or Assigns, the aforesd. sum of One hundred & forty thousand Dollars of the funded debt aforesaid, or such part thereof

as shall remain if the sd. Bonds are paid by the produce of the Sale of any part of said funded Debt.

*February 5, 1793.\**

### Chapter 5A.†

ORDER ON THE PETITION OF JAMES BAYLEY AND OTHERS.

On the petition of James Bayley and others praying to be incorporated for the purpose of building a Bridge across Merrimack River at Amesbury ferry so called.

*Ordered* that the petitioners publish an attested copy of the petition aforesaid and this order thereon in the Independent Chronicle two weeks successively, as also in the Essex Journal one week, the last publication to be at least six days before the twentieth day of February instant, that any person or corporation may appear on the said day and shew cause, if any they have why the prayer of the said petition should not be granted.

*February 5, 1793.*

### Chapter 6.

RESOLVE ON THE PETITION OF JOHN LAITON, DIRECTING THE TREASURER TO DELIVER HIM TWO NOTES, IN LIEU OF TWO DELIVERED AND SAID TO BE LOST, PROVIDED HE GIVE BONDS, &c.

On the petition of John Laiton praying that the Treasurer of this Commonwealth be directed to issue to the said John two state Notes of equal value with two consolidated notes by the said John lost — *viz*, the one for seventeen pounds dated Novr. 1st A. D. 1783 payable to one James Prince, the other for fourteen pounds fourteen shillings and ten pence dated the first day of January A. D. 1782 payable to said John Laiton.

*Resolved* that the prayer of said Petition be granted, and that the Treasurer of this Commonwealth be, and he hereby is directed to make out & deliver to the said John Laiton two Notes of the same tenor and dates with the aforesaid Notes Carrying Intrest from & after the first day of May 1787. *Provided* that the said John Laiton give Bond with sufficient sureties to refund the same to the Commonwealth, when ever the aforesaid Notes, which in said Petition are alledged to be lost, shall be presented to the Treasurer of this Commonwealth. *February 5, 1793.*

\* Approved February 6, 1793.

† Not printed in previous editions. Taken from court record.

## Chapter 6A.\*

ORDER ON THE PETITION OF SAMUEL WHITE AND OTHERS.

On the petition of Samuel White and others praying to be incorporated for the purpose of building a Bridge across Merrimack river between the towns of Haverhill and Bradford.

*Ordered* that the petitioners publish an attested copy of the petition aforesaid and this order thereon in the Independent Chronicle two weeks successively as also in the Essex Journal one week, the last publication to be at least six days before the twentieth day of February instant that any person or Corporation, may appear on the said day, and shew cause if any they have why the prayer of the said petition should not be granted.

*February 5, 1793.*

## Chapter 7.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WORCESTER.

Whereas the Treasurer of the County of Worcester, has laid his accounts before the General Court, in Manner by Law prescribed, which accounts are hereby allowed :

And Whereas the Clerk of ye Court of General Sessions of ye peace, for ye sd. County of Worcester, has laid before ye General Court, an estimate, made by ye Court of General Sessions of ye Peace, of the Necessary charges which are likely to arise in sd. County, the current year, amounting to the Sum of Ten Hundred and Fifty Pounds :

*Resolved*, That the Sum of Ten Hundred & Fifty Pounds, be, and is hereby granted as a Tax for said County of Worcester, to be apportioned, assessed, collected and applied in manner provided by Law. *February 6, 1793.†*

## Chapter 8.

RESOLVE GRANTING A TAX TO THE COUNTY OF PLYMOUTH.

Whereas the Treasurer of ye County of Plymouth, has laid his accounts before the General Court, in manner by Law prescribed, which accounts are hereby allowed :

\* Not printed in previous editions. Taken from court record.

† Approved February 6, 1793.

And whereas the Clerk of the Court of General Sessions of the Peace for ye sd. County, has laid before ye General Court, an estimate made by the said Court of General Sessions of the peace, of the necessary charges, likely to arise within the said County, the current year, amounting to the Sum of four hundred and Sixty pounds :

*Resolved*, That the said Sum of four hundred and Sixty pounds be, and is hereby Granted, as a Tax for said County of Plymouth, to be apportioned, assessed, collected and applied in manner agreeable to Law.

*February 6, 1793.*

### Chapter 9.

RESOLVE ON THE PETITION OF TIMOTHY PICKERING, ESQ.

Upon the Petition of Timothy Pickering late Quarter master-general.

*Resolved* that the Prayer of said Petition be granted so far as that the Treasurer of this Commonwealth be directed and authorized to issue his Note or Notes bearing date the first Day of January 1791 for the Sum of three Thousand three Hundred & fourteen Dollars & two thirds of a Dollar and for the Interest of that Sum at the Rate of six per cent. per Annum from the 28th Day of December 1785, to the said first Day of January 1791, payable to the said Timothy Pickering the Petitioner with Interest from the Date thereof according to the Provisions of the Law for Paying and discharging the Treasurers Warrants and due Bills, in full Satisfaction for the ballance due upon said Draft mentioned in said Petition and the said due Bill issued by the late Treasurer Thomas Ivers Esq. decd., to Capt. George Williams Agent for the said Petitioner.

*February 7, 1793.\**

### Chapter 10.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BROOKFIELD, DIRECTING THE TREASURER TO DISCHARGE THE SAID TOWN FROM THE PAYMENT OF £.11 13 7, WHICH STANDS CHARGED ON THE BOOKS OF THE TREASURER, AS COMMITTED TO THOMAS HARDY, TO COLLECT.

On the Petition of the Selectmen of the Town of Brookfield on behalf of the said Town praying that they may be discharged from the payment of the sum of £11. 13. 7.

\* Approved February 7, 1793.

which stands charged against them on the Books of the Treasury as committed to Thomas Hardy to collect.

Whereas it appears that the said Thomas Hardy paid the said sum to the late Treasurer Henry Gardner as is certified by the late Treasurer Thomas Ivers: Therefore,

*Resolved*, That the Treasurer of this Commonwealth be & he hereby is directed to discharge the said Town of Brookfield from the payment of the same sum.

*February 7, 1793.*

### Chapter 11.

RESOLVE ON THE PETITION OF THE TRUSTEES OF THE MARBLEHEAD ACADEMY, GRANTING A TOWNSHIP OF LAND, BY THE COMMITTEE FOR THE SALE OF EASTERN LANDS, LYING BETWEEN THE RIVERS KENNEBECK AND PENOBSCOT, WITH A PROVISIO.

On the Petition of the Trustees of the Marblehead Academy.

*Resolv'd* That, there be, and hereby is, granted a Township of Land of Six Miles Square to be laid out, at the Expence of the Grantees, by the Committee for the Sale of Eastern lands, from any of the Unap[*pro*]riated lands belonging to this Commonwealth lying between the rivers Kennebeck and Penobscot; and said Township shall be Vested in the said Trustees of the Marblehead Academy, & their Successors forever; for the use and purpose of supporting the said Academy, to be by them holden in their Corporate Capacity; with full power and authority, to Settle, divide, and manage said Township, or to Sell, Convey, and dispose of the same, in such way, & manner, as shall best promote the Interest & welfare of said Academy.

*Provided Nevertheless*, That there be, and hereby is, reserv'd One Lot of Three Hundred, and Twenty Acres, for the use of the Ministry; and One Lot of Three Hundred and Twenty Acres for the Support of Schools & one lot of the same quantity to the first settled Minister in said Town.

And *Provided further*, that the Grantees aforesaid, or their Assigns, shall cause Twenty Families to be Settled within said Township, on or before the first day of June One Thousand, Eight hundred.

*February 8, 1793.\**

\* Approved February 8, 1793.



### Chapter 12.

RESOLVE FOR RETURNING FIRE ARMS TO THE INSURGENTS.

On the petition of Joshua Phillips and Others — praying that their fire Arms which were taken from them by order of Gover[n]ment in 1787 may be restored to them.

*Resolved* that where it may be made to appear by a Certificate from the Commanding Officer of a Regiment, or Company, or from the Selectmen of any Town, or from any Justice of the peace, that any Inhabitant of this Commonwealth, has been deprived of his fire Arms by order of Gover[n]ment, in the late Insurrection, and that the same has not been restored to him again — And that such person has taken the Oath of Allegiance, as prescribed by the Act of the Legislature of this Commonwealth — February 16 1787 — The Quarter Master General, or the person, having Charge of said Arms, are hereby directed to deliver the Said fire Arms to the person from whom they were taken, or to his Order (*provided* such person make Oath that he has not either directly or indirectly received their said Arms or compensation therefor) if they Apply for the Same within six months after the passing this Resolve, and in Case any of said Arms shall have been Transferred or Lost, the person so applying shall receive another in lieu thereof.

*February 7, 1793.\**

### Chapter 13.

RESOLVE FOR SETTLING WITH EDWARD PAYNE & SON.

*Resolved* that the Treasurer be, and he hereby is empowered and directed to settle the Account of Edward Payne & Son for monies they received on the Forty thousand pound Loan (so called) and by them paid to the Commissary and Quarter master Generals of this Commonwealth. allowg. the said Payne & Son such Commission for Receiving & paying the same as they shall agree upon, and in case they cannot agree the Treasurer is hereby Authorised and empowered to have the same settled by referees chosen for that purpose.

*February 8, 1793.*

\* Approved February 8, 1793.

## Chapter 13A.\*

ORDER ON THE PETITION OF ZEBULON LEONARD AND OTHERS.

On the petition of Zebulon Leonard and others praying that a part of the town of Middleborough, and a part of the Town of Taunton may be incorporated into a distinct Township by the name of Kingsboro[ro]ugh and annexed to the County of Bristol.

*Ordered* that the petitioners cause an attested copy of their said petition and this order thereon to be published in the Boston independent Chronicle three weeks successively, the first publication to be on or before the last Thursday of the present month that all persons concerned may appear on the second Wednesday of the next sitting of the General Court & shew cause if any they have why the prayer of said petition shall not be granted.

*February 8, 1793.*

## Chapter 14.

RESOLVE ON THE PETITION OF DAVID TAYLOR, AND OTHERS, EMPOWERING HIM TO CONVEY LAND.

On the Petition of David Taylor & others, praying that the said David Taylor be impowered to Convey one acre & three fourth of an acre of land, (as described in a plan accompanying the Petition) to the inhabitants of the Town of Boylston for a Meeting House plot.

*Resolved* that the said David Taylor be, and he hereby is, impowered to make and execute a good and lawfull Deed, of the above said one acre & three fourth of an acre of land, to the Inhabitants of the Town of Boylston, for the purpose aforesaid, *Provided*, he the said David Taylor, shall give sufficient Bonds to the Judge of Probate for the County of Worcester, to account with the absent Heirs of Eleazer Taylor, late of Boylston Deceasd. for their proportion of the proceeds of said land and also *provided* the Town of Boylston shall give security to Hannah Taylor Relict to the said Eleazer Taylor Deceasd. for the payment of the sum of Two pounds Eight shillings annually during her natural life for the use of said land.

*February 8, 1793.*

\* Not printed in previous editions. Taken from court record.

**Chapter 15.**

RESOLVE ON THE PETITION OF BENJAMIN LEWIS AND SAMUEL JOHNSON, GRANTING THEM £7, FOR A BOUNTY PAID BY THEM TO TWO SOLDIERS, IN THE YEAR 1778.

On the Petition of Benjamin Lewis and Samuel Johnson praying for a Reimbursement of a Bounty paid by them to two soldiers in the year 1778.

*Resolved*, That there be paid out of the Treasury of this Commonwealth to the said Benjamin Lewis & Samuel Johnson the sum of seven pounds being the amount of the Bounties by them paid as aforesaid, according to the Scale of Depreciation.

*February 8, 1793.*

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**Chapter 16.**

RESOLVE ON THE PETITION OF HENDRICK BURGHARDT, AUTHORIZING THE TREASURER TO CREDIT HIM WITH THE SUM OF £.66 18 10.

On the petition of Hendrick Burghardt Constable of Grate Barrington setting forth that in the Year one thousand seven hundred & seventy five a tax was committed to him to collect of the Inhabitants of Great Barrington, that in the year one thousand seven hundred & seventy eight said Burghardt paid to the Hon. Henry Gardner Esqr. then Treasurer the sum of sixty six pounds eighteen shillings & ten pence  $\frac{1}{4}$  by the hand of Silas Goodrich which sum appears to be paid, therefore

*Resolved* that the Treasurer of this Commonwealth be & he is hereby authorized & directed to credit the said Burghardt the sum of Sixty six pounds eighteen shillings & ten pence aforesaid on said tax.

*February 9, 1793.*

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**Chapter 17.**

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF YORK, AND GRANTING A TAX TO BE APPORTIONED ON THE INHABITANTS AGREEABLY TO LAW.

Whereas the Treasurer of the County of York has laid his Accounts before the General Court, in manner prescribed by Law which Accounts are hereby allowed :

And whereas the Clerk of the Court of General Sessions of the Peace for the said County has laid before the General Court an Estimate made by the said Court of

General Sessions of the Peace of the necessary charges which have arisen in said County in the year 1791 and which are likely to arise within the same the current year amounting to the sum of four hundred and forty eight pounds :

*Resolved* that the sum of four hundred & forty Eight pounds be & hereby is granted as a Tax for said County of York to be apportioned assessed collected and applied in manner agreeably to Law. *February 9, 1793.*

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### Chapter 18.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF PETERSHAM, EMPOWERING THE TREASURER TO RECEIVE OF THE INHABITANTS OF SAID TOWN, CONSOLIDATED SECURITIES, AT THE NOMINAL VALUE THEREOF, IN DISCHARGE OF A CERTAIN SUM.

On the Petition of the Selectmen of the Town of Petersham in behalf of said Town.

*Resolved*, That the Prayer of said Petition be so far granted that the Treasurer of this Commonwealth be, and he is hereby empowered and directed to receive of the Inhabitants of said Town Consolidated Securities of this Commonwealth at the nominal value thereof, allowing Interest thereon to the twentieth day of April last in payment & satisfaction of the sum of one hundred & forty seven pounds  $5/6$  the deficiency of the tax granted in 1781 payable in New Emission bills of Credit, due from said Town of Petersham; and on Receipt of said Securities fully to discharge the Inhabitants from said Sum.

*February 9, 1793.*

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### Chapter 19.

RESOLVE ON THE PETITION OF ICHABOD BENSON, CONFIRMING THE DOINGS OF THE JUDGE OF PROBATE FOR THE COUNTY OF PLYMOUTH, WITH A PROVISIO.

On the Petition of Ichabod Benson one of the Executors of the last will & Testament of Joshua Benson late of Middleborough in the County of Plymouth deceased, stating certain irregularities in the probate of the will of said deceased, and in the Sale of said deceased's real estate, and praying the interposition of the Legislature.

*Resolved*, that the doings of Joseph Cushing Esq. late Judge of probate &c. for the County of Plymouth relative

to said will, and also the licence of the Court of Common pleas for said County to the said Ichabod to sell the real Estate of said deceased be Confirmed, any irregularities in the same notwithstanding, and that the said Ichabod be, and he hereby is empowered to proceed in completing the Settlement of said Estate in the same Manner, as if he was sole Executor, Joshua Benson his Co-executor having been absent out of this Commonwealth for more than Ten Years, and Not likely to return again.

*Provided* that the said Ichabods Accounts of his Executorship which he formerly Settled with the late Judge of probate for said County shall be reexamined by the Honble. Joshua Thomas Esqr. the present Judge of probate &c. for said County, and any Errours that may be found therein shall be Corrected in a new and final Account to be settled within Six months, from the passing of this resolve by said Ichabod before said Judge of probate for the county of Plymouth, in which Said Account any of the estate of said deceased not already inventoried or Accounted for by said Ichabod and which shall be proved to be such to said Judge, shall be charged against said Executor, and he shall also be charged with the real estate of said deceased as estimated in the inventory already exhibited.

*February 11, 1793.\**

## Chapter 20.

RESOLVE ON THE PETITION OF THOMAS LIBBY, OF PEPPER-ELLBOROUGH, ADMINISTRATOR, *DE BONIS NON*, OF THE ESTATE OF TIMOTHY LIBBY, LATE OF MACHIAS.

On the Petition of Thomas Libby of Pepperelborough in the County of York Administrator *de bonis non*, of the estate of Timothy Libby late of Machias in the County of Washington yeoman deceased intestate praying that he may be authorised to make & execute deeds of certain parts of the estate of the intestate, sold by a former Administrator upon said Estate.

Whereas it appears that George Libby deceased a former Administrator upon the Estate of Timothy Libby late of Machias in the County of Washington yeoman did in his life time by licence from the Supreme Judicial, sell for the payment of the debts of the intestate to Philip Libby a pew in the meeting house of the second Parish in Scarborough in the County of Cumberland for the sum



of four pounds — To Jonathan Harmon ten Acres of land in said Scarborough adjoining Jonathan Harmon & Paul Simpsons home lot for the sum of Twelve pounds — To John Simpson Harmon six acres of land in said Scarborough, adjoining Samuel Harmons home lot, for the sum of four pounds four shillings — To Thomas Libby Junr. fifteen acres and one sixteenth of an acre adjoining said Thomas's land for the Sum of ten pounds ten shillings. — To Jonathan Pines two thirds of a seven acre lot of land in said Machias for the sum of ten pounds ten shillings — To the same Jonathan Pines two thirds of two days in the old Sawmill at said Machias for the sum of twelve shillings — To the same Jonathan Pines, The Reversion of the widows Dower in the aforesd. seven Acres of land for the sum of eight pounds and the like reversion in the said Sawmill for nine shillings — That the purchasers aforesd. severally entered & took possession of the premises to them respectively sold as aforesd. & paid the said George the Monies for which they were sold or the greater part thereof but died without having executed deeds thereof to the purchasers pursuant to the Licence aforesd: Therefore

*Resolved* that the said Timothy Libby in his said Capacity be and hereby is as fully authorised and impowred to make and execute proper deeds of the premises to the several Purchasers aforesd. respectively as the said George Libby was by virtue of the licence aforesaid.

*February 11, 1793.*

## Chapter 21.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF HAMPSHIRE, AND GRANTING A TAX.

Whereas ye Treasurer of ye County of Hampshire, has laid his Accounts before ye General Court in Manner by Law prescribed; which Accounts are hereby allowed: And whereas ye Clerk of ye Court of General Sessions of ye Peace, for ye sd. County of Hampshire has laid before ye General Court, an Estimate made by ye said Court of General Sessions of ye Peace, of the Necessary Charges which will be likely to arise in said County the current year, amounting to ye sum of Seven hundred pounds:

*Resolved*, that the said Sum of Seven Hundred pounds, be, and hereby is, Granted, as a Tax for said County of

Hampshire, to be apportioned, Assessed collected and applied in Manner provided by Law.

*February 11, 1793.\**

### Chapter 22.

RESOLVE ON THE PETITION OF DAVID CAMPBELL, DIRECTING THE JUSTICES OF THE COURT OF SESSIONS OF THE COUNTY OF HAMPSHIRE, TO ORDER PAYMENT TO THE SAID DAVID CAMPBELL, IN CASE.

On the Petition of David Campbell the Party injured by a Theft charged against one Barzillai Beals, who has absconded upon his recognizance to this Commonwealth.

*Resolved* that in case the sum of twenty five pounds shall be recovered against Comfort Beals one of the Sureties of the said Barzillai in the said Recognizance, and shall be paid thereupon, the same is hereby granted, and shall be paid to the said David Campbell, in satisfaction for his Damages sustained by the said Theft, and his Expences and trouble in the prosecution thereof, and which have been lost to the said David, by the neglect of the Justice who lett the said Bazillai to bail, to take a recognizance to the Party injured, as the law requires: And the Justices of the Court of Sessions of the County of Hampshire, shall and may Order payment to the said David accordingly.

*February 12, 1793.*

### Chapter 23.

RESOLVE ON THE PETITION OF BENJAMIN WILDS, GRANTING HIM £.14.

On the petition of Benjamin Wilds praying that he may be paid the amount of an Order that was Consumed by fire, which issued from the treasurer of this Commonwealth on Mr. Robert Stone Collector of Arundal Dated the 29 of May 1786 in favour of said Benjamin Wilds.

*Resolved* that there be allowed & paid out of the treasury of this Commonwealth the sum of fourteen pounds to him the said Benjamin in full Compensation for the aforesaid order *provided* the said Benjamin Wilds Give bond with sufficient surety to the satisfaction of the Treasurer conditioned for indemnifying the Commonwealth from any demand that may arise in consequence of the aforesaid Order.

*February 13, 1793.*

\* Approved February 13, 1793.

**Chapter 24.**

RESOLVE ON THE PETITION OF EBENEZER STORER, LATE PAYMASTER, GRANTING HIM £.120.

On the petition of Ebenezer Storer praying for a Compensation for his Services as a paymaster for the second and twelfth Regiments of the late Continental army.

Whereas it appears by a resolve of the Legislature passed March 2d 1792 that the paymasters and agents of this States quota of the Continental army, have all of them (excepting said Storer) recd. from this Commonwealth the Sum of one hundred & twenty pounds for their Services as paymasters & agents as aforesaid, and that the said Storer has recd. nothing, he having neglected to apply for the same within the time limited by law: Therefore

*Resolved*, that the said Storer be and he is hereby allow'd the said Sum of one hundred and twenty pounds out of the Treasury of this Commonwealth, as a Compensation for his said Services, and the treasurer is hereby directed to pay the same accordingly. — And his Excellency the Governor by and with the advice of the Council is hereby requested to Issue his Warrant upon the treasury for the payment of said Sum. *February 13, 1793.*

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**Chapter 25.**

RESOLVE AUTHORIZING THE TREASURER TO CONTRACT FOR CLOATHING AND PROVISIONS FOR CASTLE ISLAND.

*Resolved* that the treasurer of this Commonwealth be & hereby is authorized & directed to contract for supplying the Garrison & Convicts on Castle Island with provisions & cloathing for the term of one year commencing April 1st 1793 on terms most advantageous to Government. And that he cause public notice thereof to be given in the Independent chronicle three weeks before his entering into such contract. That he shall receive proposals from any person or persons disposed to make the same under seal. And shall require bond with good & sufficient surety in the sum of five hundred pounds from the Contractor or Contractors for the faithful discharge of their duty. And that the said contract shall allow the same articles of provision & cloathing to the Garrison & Convicts as is specified in the contract of the last year made for the same purpose. *February 13, 1793.*

**Chapter 26.**

RESOLVE ON THE PETITION OF BENJAMIN READ, IN BEHALF  
OF THE TOWN OF MENDON.

On the petition of Benjamin Read.

Whereas it appears by a return on an execution now in the Treasury Office — that Joseph Coody Collector of the Town of Mendon paid to William Greenleaf late Sheriff of the County of Worcester the Balance due from said Collector on the Tax granted in the year 1779 :

*Resolved* That the Treasurer be and hereby is directed to Credit the Town of Mendon one hundred & twelve pounds ten shillings, being the sum with which the said Town now stands charged for the deficiency of the said Coody on the tax aforesaid. *February 13, 1793.*

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**Chapter 27.**

RESOLVE ON THE PETITION OF MAKEPEACE GATES.

On the Petition of Makepeace Gates. *Resolved*, that he be discharged from a balance of Ten Pounds against him on the Treasurer's books for tax No. 3 the same appearing to have been paid, & the Treasurer is directed to govern himself accordingly. *February 14, 1793.*

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**Chapter 27A.\***

ORDER ON THE PETITION OF DANIEL SHAW AND OTHERS.

On the petition of Daniel Shaw and others inhabitants of the town of Wrentham.

*Ordered* that the petitioners notify the town of Wrentham by leaving with the town Clerk thereof an attested copy of said petition with this order thereon, thirty days at least before the second Wednesday of the next Session of the General Court that they may then appear & shew cause if any they have why the prayer of said petition should not be granted. *February 14, 1793.*

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**Chapter 28.**

RESOLVE ON THE PETITION OF ELISHA CRANSON, JUN.

On the Petition of Elisha Cranson Jun. *Resolved*, that the prayer of said petition be granted, & that the Treas-

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\* Not printed in previous editions. Taken from court record.

urer of the Commonwealth be directed to pay the sum of Four Pounds to the said Elisha Cranson Jun. for his killing one grown wolf as mentioned in his petition.

*February 14, 1793.*

### Chapter 28A.\*

ORDER ON THE PETITION OF JOHN SEELY AND OTHERS.

On the petition of John Seely and others praying to be annexed to the Episcopal Society in Great Barrington.

*Ordered* that the petitioners notify the inhabitants of Stockbridge, West Stockbridge Egremont and Lee, by causing to be published in the Western Star, printed by Loring Andrews at Stockbridge, an attested copy of the said petition, and of this order thereon at least thirty days before the third Wednesday of the next session of the General Court to appear on the said third Wednesday, and shew cause if any they have why the prayer of the said petition should not be granted. *February 14, 1793.*

### Chapter 29.

RESOLVE ON THE PETITION OF WILLIAM HANCOCK, DIRECTING THE TREASURER TO ISSUE NOTES.

On the Petition of William Hancock a Soldier of the late Continental Army in Col. Ichabod Alden's Regiment praying for wages drawn by one William Tucker by a forged Order.

*Resolved* that the Prayer of the Petition be granted and that the Treasurer be and hereby is directed to issue to the said William Hancock a Note or Notes for his Wages aforesaid amounting to thirty nine Pounds fifteen shillings and one penny in the same way and Manner as if the said forged order had not been answered.

*February 14, 1793.*

### Chapter 30.

RESOLVE ON THE PETITION OF FRANCIS SHURTLIFF.

On the Petition of Francis Shurtleff praying that the Treasurer of this Commonwealth may be directed to make & deliver to John Lucas two Notes in lieu of two original Notes which are lost.

\* Not printed in previous editions. Taken from court record.



*Resolved* that the prayer of the same Petition be granted, & that the Treasurer of the Commonwealth be & he hereby is directed to make & deliver to the said John Lucas two Notes payable to the said Lucas, one for four pounds & Interest thereon from September 1782, & the other for four pounds & one shilling & Interest thereon from May 1783; *provided* the Petitioner shall give to the Treasurer for the use of the Commonwealth a good Bond with sufficient Surety conditioned that he shall forever indemnify the Commonwealth from a Note for four pounds bearing date in September 1782 & numbered 8123, & also from another Note for four pounds & one shilling bearing date in May 1783 & numbered 16774, both payable to said John Lucas, which two Notes are said to be lost.

*February 15, 1793.*

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### Chapter 31.

#### RESOLVE ON THE PETITION OF ELISHA PORTER, ESQ.

On the Petition of Elisha Porter Esqr., Sheriff of the County of Hampshire.

*resolved* that the Prayer of said Petition be granted and that the Treasurer of this Commonwealth be directed to receive of said Sheriff the Note of Ezekiel Fosgate and Josiah Wilson dated October, 2 1783 for the sum of Sixty Nine Pounds sixteen shillings and four Pence lawful money (payable to said Elisha Porter or his Order by the first Day of January then next with Interest after that Time), to be assignd by him the said Elisha Porter to the Use of this Commonwealth, together with said Ezekiel's Acknowledgment of said Debt to be justly due as mentioned in sd. Petition and that he account only for what monies he hath already receivd for said Ezekiel's Fine & Costs as mentioned in sd. Petition and that he be dischargd of the Residue thereof, and likewise that the said Elisha Porter account to the Treasurer of this Commonwealth only for the Sum of Forty one Pounds and one Penny being the whole of the monies he hath receivd toward the Fine & Costs of Uriel Clary as mentioned in said Petition and that he be dischargd from the Residue thereof and that the Treasurer govern himself accordingly in the Settlement of said Sheriff's Accounts.

*February 15, 1793.*

## Chapter 32.

RESOLVE ON THE PETITION OF TIMOTHY DONNELL, DIRECTING  
THE TREASURER TO PAY £30.

On the Petition of Timothy Donnell a Private soldier in Capt. Timothy Goodwins Company of militia in the Town of York in the County of York who was wounded on the Parade while under Arms, Praying for Relief.

*Resolved* that the Prayer of said Petition be granted and that the Treasurer of this Commonwealth be and he is hereby Directed to pay to the said Donnell the Sum of thirty pounds to Enable him to Discharge the Doctr., bill and outhier Charges.

*February 15, 1793.*

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ANSWER OF THE LEGISLATURE TO THE SPEECH OF HIS EXCEL-  
LENCY THE GOVERNOR AT THE OPENING OF THE SESSION.

The Speech of His Excellency the Governor at the opening of the Session was committed to a joint Committee, consisting of Messrs. Bridge, Heath and Bradbury, of the Senate — and Messrs. Jarvis, Eustis, Sewall and Mycall, of the House, who reported the following Answer.

*May it please your Excellency,*

Your address to the two branches of the Legislature, at the opening of the present Session, has been received with great pleasure. The various communications suggested by your excellency for the consideration of the Senators & representatives of the people, evince a continuance of those patriotic exertions for the public welfare, which have ever distinguished your political character; & will receive all that attention on our part which their importance requires.

We participate with your Excellency the highest satisfaction on the internal peace & increasing prosperity of the Commonwealth. A government formed on the basis of a fair & free representation of the people, contains the essential principles of civil liberty, & if well administered, cannot fail to secure their happiness. To establish a government of this kind has been the object for which the present generation has contended & our highest ambition is to improve & transmit it to posterity. These circumstances together with the accordance of the powers of the several state governments with those of the general government by which they are all united produces & ensures

to the people of America a higher degree of civil & religious freedom than has ever yet been enjoyed by any other Nation. And as the right of Election by the people constitutes the great principle on which our systems are founded, & the exertion of that right forms the great check reserved by them in their own hands to be exercised in their individual persons, it will be the first wish & object of the Legislature to preserve it in its original purity, & to see it exercised with an unremitting & vigilant attention.

“A frequent recurrence to the principles ‘of the American revolution’ as well as of the constitution, together with a constant adherence to those of piety justice, moderation, temperance, industry & frugality is useful & necessary to preserve the advantages of liberty, and to maintain a free government.”

That the rising generation may comprehend & enjoy these invaluable blessings, the means of information should be extended equally & without preference to all the citizens. To this end the Legislature will cheerfully & liberally encourage the several schools & academies within this Commonwealth. The University at Cambridge has justly merited & received the patronage of government from its first foundation. An enquiry into the state & funds of that society will be had during the present session, and any measures that may be found necessary to continue & encrease its usefulness will be adopted.

A reverence for religion, & a respect for virtue are the leading features which should distinguish the citizens of a free republic. Should it be deemed necessary to revise the laws which inculcate these duties & prohibit the opposite vices, or those which enjoin an observance of holy time & make provision for the maintenance of public teachers of piety religion & morality, we shall consider the time requisite for such revision devoted to the best interests of our constituents.

From the heavy penalty inflicted on the Usurer by the laws of the Commonwealth, we had reason to expect, & we think the people have experienced, a salutary effect. With your Excellency we accord in the sentiment, that in a Republican government no laws should tend to produce an inequality of property. By the declaration of rights prefixed to our constitution every citizen has an “equal right to protection in the enjoyment of his property.”

Whether the laws against Usury can be made more conformable to these principles, will be a subject of legislative enquiry.

To guard the persons & possessions of our Citizens, is an essential duty of the Legislature of a civilized Community; & to affect this important purpose, by those punishments which shall tend to reform offenders & as far as possible to avoid the infliction of death or mutilation to our fellow men, is an exercise of the natural clemency of a Republican Government. Every practicable reformation of the existing criminal laws, which can be made in this view, is urged by the feelings of the Representative of a free & virtuous people as well as by the humane recommendations of your Excellency.

The law making compensation to Officers who execute the laws was under consideration at the last session. The subject will be resumed; for it is our intention that all the servants of government should receive a just retribution for their services.

The incompetency of town inhabitants to be witnesses in cases where their towns are parties calls for a remedy, & will receive due attention.

With your Excellency we are fully impressed with the necessity & importance of affording every possible encouragement to Agriculture, Manufactures & Commerce. The settlement of our uncultivated lands is of great consequence, & may be facilitated by the immigration of foreigners. The laws respecting their admission into the Commonwealth will be considered and the patronage and favor of Government to our infant settlements will be continued.

The bounties already granted by Government in support of Agriculture & Manufactures evince our desire of their prosperity. To vary, extend & apply these bounties according to the exigencies which occur & the ability of our constituents will tend to encrease the wealth & happiness of the State.

We are sensible Sir, that the Creditors of this Commonwealth, have no direct demand upon any other Government than this. — Various causes have concurred to prevent, or delay the full payment of their just demands. — This delay has been attended with many inconveniences to them, & is painfull to us. — But we trust that the period is not far distant, when we shall be able to fulfill

our engagements in a manner that may prove at once satisfactory to our Creditors, & least burdensom to our Constituents.

The State's being interested in the Union Bank as suggested in the address of yr. Excellency at the last session will be taken into consideration as soon as the State of the treasury shall be clearly ascertained.

On this or any other subject which you shall think proper to suggest for our consideration, we shall be at all times ready to receive such communication from your Excellency in person or by written messages as shall comport with yr. health or convenience. And in aid to yr. care & vigilance for the public weal, yr. Excellency may always confide in a ready support of the two branches of the Legislature in all measures calculated to promote the happiness of our constituents & the honor & prosperity of the Commonwealth.

*February 15, 1793.*

### Chapter 33.

RESOLVE ON THE PETITION OF HENRY DWIGHT, OF BELCHER TOWN.

On the Petition of Henry Dwight of Belcher Town praying that for the Reasons therein mentioned he may be allowed to discharge an Excon. in favor of the Government against Caleb Hannum for the Sum [*of*] Eighty Seven pounds fourteen shillings and two pence due on No. five tax in a diffirent Manner than in the particular species of Orders and Indents in the Same Excon. mentioned.

*Resolved* that the Said Henry Dwight have Liberty to pay the Sum of Sixty pounds ten shillings and Seven pence in Cash into the Treasury of [*of*] Said Common Wealth in lieu of the Several Sums in the Said Execution mentioned within two months from the Date hereof upon Receipt of which the Treasurer is hereby directed to discharge the Same Excon.

*February 16, 1793.*

### Chapter 34.

RESOLVE ON THE PETITION OF JOHN JUST GEYER, DIRECTING THE SHERIFF FOR THE COUNTY OF SUFFOLK TO LIBERATE THE SAID GEYER AND ONE PETER SMINK, NOW IN GOAL.

On the petition of John Just Geyer, praying to be liberated from the prison of the Commonwealth in Boston.



*Resolved* — For the Reasons set forth in said petition, That the Sheriff of the County of Suffolk be, and he hereby is, authorized and directed, to discharge the said Geyer and one Peter Smink from the Gaol in Boston, and to suffer them to go at large; they first paying to the said Sheriff, the Costs of Court specified in the Execution upon which they were severally committed.

*February 16, 1793.*

### Chapter 34A.\*

ORDER ON THE PETITION OF JOHN HUBBARD AND OTHERS.

On the petition of John Hubbard and others praying to be incorporated into a religious episcopal Society.

*Ordered* that the petitioners notify the towns of Sandisfield, New Marlborough, Tyringham, and the District of Bethlehem by lodging with the Clerks of the said towns and District a copy of this petition and this order thereon thirty days before the second Wednesday of the first Session of the next General Court then to shew cause if any they have why the prayer of said petition should not be granted.

*February 18, 1793.*

### Chapter 35.

RESOLVE ADJOURNING THE COURT OF COMMON PLEAS, &c. IN TAUNTON.

Whereas inconveniences may arise, if the Courts of General Sessions of the peace, & Court of Common Pleas, should be holden in & for the County of Bristol, on the second Tuesday of March next; two of the Justices of the said Court of Common Pleas, being Members of the Legislature of this Commonwealth, & one of sd. Justices being a Member of the Genl. Gover[n]ment, all of whom, will necessarily be Absent. Therefore —

*Resolved*, that the Court of General Sessions of the peace, & Court of Common Pleas, by Law to be holden at Taunton, within & for the County of Bristol, on the second Tuesday of March next, be, & they hereby are adjourned, to the first Tuesday in April next, then to be holden at Taunton within & for the County of Bristol aforesd.; & all Writs processes & recognizances, returnable to, & all appeals made to said Courts, to be holden

\* Not printed in previous editions. Taken from court record.

on the said second Tuesday of March, & all matters causes & things which might have day, or which might be moved, or done, at, in or by the said Courts, if held on the said second Tuesday of March aforesd., shall be returnable, to & may be entered, prosecuted, had, moved & done, at, in & by said Courts, at the time hereby appointed for holding the same.

*Resolved* Further, that the Secretary be, & hereby is directed to cause this Resolve, to be published in the Independent Chronicle, as soon as may be.

*February 19, 1793.*

### Chapter 36.

RESOLVE DIRECTING THE SECRETARY TO HAVE PRINTED THE CONSTITUTION AND LAWS OF THE UNITED STATES FOR THE PURPOSE MENTIONED.

*Resolved* that each town, district and plantation within this Commonwealth, be furnished at the public expence with a book printed upon good paper, with a good type, and stiched in blue paper containing the Constitution of the United States & its amendments; and all such public acts of Congress as shall be in force at the time of printing the same. — And the Secretary is hereby directed to have printed the said Constitution and Laws of the United States upon such terms as has been contracted for the printing for the Government of this Commonwealth; and as soon as the same books are compleated, he shall cause them to be delivered to the several towns, districts, & plantations in the said Commonwealth, to the order of the Clerks or Selectmen of the said towns and districts and of the Committees or any of the principal inhabitants of the said Plantations, as they shall apply for the same.

*February 19, 1793.*

### Chapter 37.

RESOLVE ON THE PETITION OF JOSEPH HENDERSON, LATE SHERIFF OF THE COUNTY OF SUFFOLK.

On the Petition of Joseph Henderson late Sheriff of the County of Suffolk praying for a further time for the Payment of the Ballance due from him to the Commonwealth for Reasons set forth in his Petition.

*Resolved*, That the Prayer thereof be so far granted as that the Treasurer of the Comm[on]wealth is hereby directed

to suspend any Process against the said Joseph Henderson as Sheriff, for the term of Six Months, and to receive from time to time during the above period, any Sums of Money the said Henderson may be enabled to pay into the Treasury in discharge of the aforesaid Ball'ce.

*February 19, 1793.\**

### Chapter 38.

RESOLVE ON THE PETITION OF JOSEPH BATES, GRANTING  
£.8 10.

On the Petition of Joseph Bates. *Resolv'd*, for reasons sett forth, that there be Allow'd & paid Out of the Publick Treasury of this Common Wealth to the said Joseph Bates the Sum of Eight pounds Ten shillings In full for Eighty five, Six pound Shott Supply'd the Garrison at Nantaskett in June 1776 Any Law or Resolve to the Contrary Notwithstanding—the same to be charg'd to the United States.

*February 19, 1793.*

### Chapter 39.

RESOLVE ON THE PETITION OF CAPTAINS JOHN F. WILLIAMS  
AND JOHN CATHCART.

On the Petition of John Foster Williams and John Cathcart Commanders of armed Vessells in the service of this Commonwealth, on the Penobscott Expedition praying for the payment of the sums allowed them by the Committee of the General Court appointed to examine and allow Accounts for losses sustained on the said Expedition.

*Resolved* That the Treasurer be and he hereby is directed to pay the said John Foster Williams the Sum of Sixty two pounds ten shillings in a consolidated Note of this Commonwealth, bearing date May 2d. 1780, with interest untill paid, and that the Treasurer be and he hereby is directed to pay in like manner to the said John Cathcart the Sum of Fifty two pounds twelve shillings and six pence, in full compensation of the losses which they severally sustained on the said Expedition,— And that the amount of the said sums be charged to the United States.

*February 19, 1793.*

\* Approved February 20, 1793.

**Chapter 40.**

## RESOLVE ON THE PETITION OF DANIEL McDUGAL.

On the Petition of Daniel McDougal, Sitting forth that he has Not Reciev'd. his proportion of the Gratuity Granted to the Noncommissioned officers and Soldiers of the Massachusetts line of the Army ingaged for the war previous to the Year 1780. Agreeable to a Resolve pased. the General Court January 15th 1781.

*Resolved* that there be allowd. and paid out of the public Treasury of this Commonwealth to Daniel McDougal a Soldier in Colo. Mihael Jackson's Regt. the Sum of Twenty four dollars in full Discharge of sd. Gratuity.

*February 20, 1793.*

**Chapter 41.**

## RESOLVE ALLOWING THE ACCOUNTS OF THE TREASURER OF THE COUNTY OF MIDDLESEX, AND GRANTING A TAX OF £.900.

Whereas the Treasurer of the County of Middlesex, has laid his accounts before the General Court, in manner by Law prescribed, which accounts are hereby allowed: And Whereas the Clerk of ye Court of the General Sessions of the Peace for the said County, has laid before ye General Court, an estimate made by the said Court of General Sessions of the Peace, of the Necessary charges, likely to arise within the said County, the current year, amounting to nine hundred Pounds:

*Resolved*, That the said Sum of Nine Hundred Pounds be, and is hereby granted, as a Tax for said County of Middlesex, to be apportioned, assessed, collected and applied in manner agreeably to Law.

*February 20, 1793.*

**Chapter 42.**

## RESOLVE ON THE PETITION OF THE ASSESSORS OF THE TOWN OF GREAT BARRINGTON.

On the Petition of the Assessors of the Town of Great Barrington.

Whereas by a Resolve of the General Court Passed July 5th A. D. 1784 It appears that Thomas Ingersoll of the same Great Barrington, was Authorised and empow-

ered to Collect a Certain Tax or Assessment of four hundred and thirty seven Pounds thirteen shillings & four Pence, which had been before that time Assessed on the Polls and Estate of the Inhabitants of said Town, and had been Committed to one John Hicock to Collect — and whereas the said Thomas Ingersoll, by virtue of said Resolve became Chargeable, to the Treasurer of this Common Wealth, in the same manner as tho' the said Tax or Assessment had been Originally Committed to him the said Thomas to Collect: Therefore *Resolved* that the Treasurer of the Common Wealth Govern himself Accordingly and that, he Recall, his Warrant directing the Assessors of said Town, to Assess the sum of £424 14 2 Part of the aforesaid sum, as mentioned in said Petition.

*February 20, 1793.*

### Chapter 43.

RESOLVE ON THE PETITION OF GEORGE HAMLIN, AUTHORIZING THE SHERIFF OF THE COUNTY OF SUFFOLK TO DISCHARGE HIM FROM HIS CONFINEMENT.

On the Petition of George Hamlin praying to be discharged from an Execution issued against him as surety in a Recognizance for John Just Geyer.

*Resolved* for the reasons set forth in said petition that the Sheriff for the County of Suffolk be and hereby is authorized and directed to discharge the said Hamlin from his confinement and to suffer him to go at large.

*February 21, 1793.*

### Chapter 44.

RESOLVE ON THE PETITION OF ISAAC PARSONS, ESQR. DIRECTING THE TREASURER TO ISSUE A NEW NOTE, IN FAVOUR OF MARY ELLIS, IN LIEU OF A NOTE LOST.

On the petition of Isaac Parsons Esqr. praying that the treasurer of this Commonwealth may be Directed to Issue a new Note in favour of his Wife Mary, (formerly Mary Ellis,) in lien of one that is said to have been lost.

*Resolved*, that the prayer of said Petition be granted, and the Treasurer is hereby directed to Issue a new Note in favour of said Mary, of the same tenor and date as that in the petition mentioned, that is to say, for the sum of sixty two pounds two shillings and two pence number 11344 bearing date Feby. 1st 1783, with an indorsment of nine months Interest thereon; the said Isaac Parsons



giving Bond with two sufficient Sureties to the Treasurer, to indemnify the Commonwealth against any Demand that may hereafter arise against it, by Virtue of the note said to be lost as aforesd. in Case the same should be found.

*February 21, 1793.*

### Chapter 44A.\*

ORDER ON THE PETITION OF DANIEL BIXBY AND OTHERS.

On the petition of Daniel Bixby and others proprietors in a certain tract of Woodland commonly called Willis's Woodland in the town of Boxford in the County of Essex praying for an Act of incorporation.

*Ordered* that the prayer of said petition be so far granted that the said Daniel Bixby and others give public notice to the several proprietors of said land by publishing an attested copy of their said petition with this order of Court thereon in the Salem Gazette printed by Thomas C. Cushing, thirty days at least previous to the second Wednesday of the next session of the General Court that said proprietors may appear on said day and shew cause, if any they have, why the prayer of said petition should not be granted.

*February 21, 1793.*

### Chapter 45.

RESOLVE ABATING TAXES TO THE TOWN OF HEBRON.

On the Petition of the Selectmen of the Town of Hebron praying for the Abatement of sundry Taxes.

*Resolved* for reasons set forth in said Petition that the Town of Hebron be & hereby is abated the following Taxes, *vizt.* Tax No Six, eight & nine amounting in the whole to the Sum of forty Six pounds nineteen shillings & eleven pence, *provided* the same be applied to the purpose of maintaining a public School or Schools in said Town within one year from the first day of April next, in such way & manner as sd. Town shall think best, & the Treasurer of this Commonwealth is hereby directed to discharge sd. Town of Hebron of sd. Taxes upon a Certificate being produced within the Term abovementioned, signed by the Town Clerk & Selectmen shewing that the aforesaid sum has been so expended.

*February 22, 1793.*

\* Not printed in previous editions. Taken from court record.

**Chapter 46.**

RESOLVE GRANTING A TAX TO THE COUNTY OF BARNSTABLE.

Whereas the Treasurer of ye County of Barnstable, has laid his accounts before the General Court, in manner by Law prescribed, which Accounts are hereby allowed; excepting six pounds three shillings being two County Taxes on Province Town:

And Whereas the Clerk of ye Court of ye General Sessions of ye Peace for ye County aforesaid, has laid before the General Court, an estimate made by the said Court of General Sessions of the Peace, of the necessary charges, likely to arise within the said County, the current year, amounting to one hundred and Thirty Pounds:

*Resolved*, That the said Sum of one hundred and Thirty Pounds, be, and is hereby granted, as a Tax for said County of Barnstable, to be apportioned, Assessed, collected, and applied in manner agreeably to Law.

*February 23, 1793.*

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**Chapter 47.**

RESOLVE ON THE PETITION OF JABEZ WHITING.

On the petition of Jabez Whiting praying that the Treasurer be directed to Issue to him a State Note of the Value of one which was issued to Nathaniel Gilson which the petitioner conceives to have been consumed by fire.

*Resolved* that the prayer of said petition be granted and that the Treasurer of this Commonwealth be and he hereby is directed to issue to the said Jabez Whiting a consolidated Note dated January 1782, for fifteen pounds sixteen Shillings and Nine pence with interest, and to indorse on the same as much intrest as has been paid upon the Original Note, he the said Jabez Whiting giving bond with sufficient sureties to the Treasurer of this Commonwealth to refund the same whenever the aforesaid Note which is supposed to have been consumed by fire shall be produced at the Treasurer's Office.

*February 23, 1793.*

**Chapter 48.**

RESOLVE ON THE PETITION OF JOAB BELDING, DIRECTING THE TREASURER TO ISSUE HIS NOTE, THE WAGES HAVING BEEN DRAWN NOTWITHSTANDING.

On the Petition of Joab Belding a Soldier in Colo. Greeton's Regt., Setting forth that his wages were drawn by a forged Order, and praying Compensation therefor.

*Resolved* that the prayer thereof be Granted and that the Treasurer be and he is hereby directed to Issue his Note to the Said Joab Belding a Soldier in Colo. Greeton's Regt., in the Same way and manner, as other Soldiers are paid, the Wages having been drawn by a forged Order Notwithstanding.

*February 25, 1793.*

**Chapter 49.**

RESOLVE ON THE PETITIONS OF DANIEL BROWN, JABEZ VAUGHN, AND OTHERS.

On Several Petitions of Daniel Brown Jabez Vaughn and others, praying for Compensation from this Commonwealth for Lands taken from the Petitioners by the settlement of the Line between this State and the State of New York.

*Resolved* that the Prayer of the Petition be so far granted That Tompson J. Skinner, Esqr. Timothy Edwards & Nathl. Bishop Esqrs. be a Committee to view the said Lands so taken from the Petitioners by the State of New York, appraise the Damages, and make report at the first Session of the next General Court—the sd. Committee's charge for time & expences to be paid by the Petitioners—

*and be it further Resolved* that the Treasurer be and hereby is ordered to stay Prosecution of a Certain Bond which he has in his Hands in favour of this Commonwealth Against Asa Douglass and Samuel Brown untill the End of the next Sessions of the General Court, and that the former Committe appointed to this Service be & hereby are discharged.

*February 25, 1793.*

**Chapter 50.**

RESOLVE ON THE PETITION OF RICHARD WILLIAMS.

On the Petition of Richard Williams praying that he may Recieve the wages due to his Son Joshua Williams

a Soldier in Colo. Shepards Regt. who died in the Service.

*Resolved* that John Demming Esqr. be and he hereby is directed to Certify to the Governor and Council the pay or arrears of pay due to the sd. Joshua Williams for his Services as a Soldier in Colo. Shepard's Regt., and the Treasurer is directed on receiving warrant therefor to Issue his Notes for the Same, in the way and manner as has been practiced to other Soldiers. *February 25, 1793.*

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### Chapter 51.

RESOLVE ON THE PETITION OF JONATHAN GARDNER.

On the Petition of Jonathan Gardner praying that he may Recieve the wages due to him as a Soldier in Colo. Smith's Regt.

*Resolved* that John Demming Esqr. be and he hereby is directed to Certify to the Governor and Council, the pay or arrears of pay due to the Said Jonathan Gardner for his Services as a Soldier in Colo. Smiths Regt. and the Treasurer On receiveing the Governor's Warrent therefor, is directed to Issue his Note for the Same, in the way and manner as has been practiced to other Soldiers.

*February 25, 1793.*

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### Chapter 52.

RESOLVE ON THE PETITION OF CALVEN HALL.

On the Petition of Calven Hall praying that he May Recieve the wages due to Luther Hall Deceased, a Soldier in Colo. Voses Regt.

*Resolved* that John Demming Esqr. Certify to the Governor and Council in favour of the Lawfull heirs of Luther Hall, the pay or arrears of pay due to the Said Luther Hall for his Services, as a Soldier in Colo. Vose's Regt., and the Treasurer is directed to pay the Sum so Certified in the Same way and manner as other Soldiers Under like Circumstances have been paid.

*February 25, 1793.*

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### Chapter 53.

RESOLVE ON THE PETITION OF ROBERT HARRINGTON, DISCHARGING A DEBT DUE ON A BOND.

On the Petition of Robert Harrington. *Resolved* (for reasons Set forth in Said Petition) that the Debt due from

the Said Robert Harrington on a Bond, given by him to William Pepperel late of Roxbury a Conspirator, which is now the Property of this Commonwealth be and hereby is Discharged and the Action Commenced. on Said Bond against John Tuttle Junior one of the Sureties of the Said Harrington in behalf of the Commonwealth be Discontinued and the Attorney General or Agent is hereby Directed to Deliver Said Bond to Said Robert Harrington on his paying the Costs already arisen on Said Suit.

*February 25, 1793.*

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### Chapter 54.

RESOLVE REQUESTING THE GOVERNOR AND COUNCIL TO EXAMINE THE ACCOUNTS OF THE PERSONS WITH WHOM THE TREASURER MAY CONTRACT FOR SUPPLIES TO THE GARRISON AND CONVICTS ON CASTLE ISLAND, AND REQUESTING GOVERNOR TO DRAW HIS WARRANT THEREFOR ON THE TREASURER QUARTERLY.

*Resolved*, that his Excellency the Governor, and the Council be, and they hereby are requested to examine the Accounts & vouchers of the persons with whom the Treasurer may Contract for supplying the Garrison and Convicts on Castle Island pursuant to a Resolve passed the 13th Instant — And his Excellency the Governor with Advice of Council is also requested to draw his Warrant quarter yearly on the Treasury for the sums of money they shall find due, agreeable to the Contract to be made as aforesaid.

*February 25, 1793.*

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### Chapter 55.

RESOLVE ON THE PETITION OF ELISHA PORTER, ESQ. SHERIFF OF THE COUNTY OF HAMPSHIRE.

On the Petition of Elisha Porter Esqr. Sheriff of the County of Hampshire praying for a longer Time to pay the ballance due from him on Executions for Taxes prior to Tax No. 6.

*Resolved*, That the said Elisha Porter Esqr. be and he is hereby allowed a further Time till the first Day of June next to compleat and pay into the Treasury the whole remaining ballance due on Executions as aforesaid, prior to Tax No. 6.

*February 25, 1793.*



## Chapter 56.

RESOLVE ON THE PETITION OF MARY THATCHER, EMPOWERING HER TO MAKE SALE OF REAL ESTATE.

On the petition of Mary Thatcher Administratrix on the estate of Samuel Thatcher Esquire late of Cambridge deceased.

*Resolved*, for reasons set forth in the said petition, that the said Mary Thatcher be and she is hereby authorized & empowered to make sale, either by public Auction or otherwise, of all the real estate of Samuel Thatcher & Ebenezer Thatcher Minors & Children of the said deceased, lying in the Town of Cambridge which descended to them from their said Father for the most that can be obtained for the same; and for that purpose to act in conjunction with the other Owners of the real Estate of the said deceased, or separately, in the same manner as the said minors might do were they of full age. And the said Mary Thatcher is hereby authorized & empowered to make and execute a good & sufficient deed or deeds of the said Minor's parts of the said estate to the purchaser or purchasers thereof, *provided* the said Mary Thatcher first give Bond with sufficient sureties, to the Judge of Probate of the County of Middlesex, to apply the proceeds of the said minor's estate to their use respectively; and to account for the same in manner as Guardians are by Law required to do.

*February 23, 1793.*

## Chapter 57.

RESOLVE ON THE PETITION OF JACK CANADY, DIRECTING THE TREASURER TO ISSUE HIS NOTES, THE WAGES HAVING BEEN DRAWN NOTWITHSTANDING.

On the Petition of Jack Canady a Soldier in Colo. Brook's Regt. Setting forth that his wages were drawn by a forged Order and praying Compensation therefor.

*Resolved* that the prayer thereof be Granted, and that the Treasurer, be and he is here by directed to Issue his Notes to the said Jack Canady a Soldier in Colo. Brook's Regt. in the Same way and manner, as has been practiced to other Soldiers the wages having been drawn by a forged order Notwithstanding.

*February 25, 1793.*

**Chapter 58.**

RESOLVE ON THE PETITION OF JAMES TOBIN, BY HIS ATTORNEY, H. G. OTIS, ALLOWING HIM THE AMOUNT OF THE PRIZE DRAWN IN THE SECOND CLASS OF THE SEMI-ANNUAL LOTTERY, HE GIVING BONDS TO PAY, IN CASE.

On the Petition of James Tobin by his Attorney H. G. Otis Setting forth that he was the Lawful Owner of a Ticket in the Second Class of the Semi Annual State Lottery No. 15571, Signed by Samuel Cooper Esqr. which Drew one hundred Dollars and Praying to be paid the Same.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to James Tobin or his Lawful Attorney the amount of the Prize drawn against the Number Specified in Said Petition, He first giving bonds with Sufficient Sureties to the Said Treasurer to repay the amount of the Said Prize in case the Said Ticket Should be found and presented for Payment.

*February 26, 1793.*

**Chapter 59.**

RESOLVE ON THE PETITION OF WILLIAM JENNISON, GRANTING £.15 8 4, WITH INTEREST, ON CONDITION.

On the petition of William Jennison praying payment of a note due from Ed'd. G. Lutwyche for the sum of Fifteen pounds Eight shillings & four pence.

*Resolved* that there be allowed & paid out of the treasury of this Commonwealth to William Jennison the sum of Fifteen pounds, Eight shillings & four pence with Interest from the date of said Note on condition of his endorsing & delivering into the treasury the note of said Edward G. Lutwyche for that amount.

*February 26, 1793.*

**Chapter 60.**

RESOLVE ON THE PETITION OF ISRAEL JONES, ADMINISTRATOR ON THE ESTATE OF ELISHA JONES, AUTHORIZING HIM TO MAKE A GOOD AND SUFFICIENT DEED TO ASA WILLMARTH.

On the Petition of Israel Jones administrator on [on] the estate of Elisha Jones late of Weston in the County of Middlesex Esqr., Deceased.

*Resolved* for reasons set forth in said Petition that the said Israel Jones be and he is hereby authorised and empowered in his said Capacity as administrator to make and execute to Asa Willmarth a good and sufficient Deed of the north half of second Division Lot No. three in Adams aforesaid — and also a deed to Thomas Powers Heir to John Powers Deceased of lot No. fourteen of the second Division of lots in sd. Town of Adams and the said Deeds made and Executed as aforesaid by the said Israel shall be good and valid to all intents and purposes as tho the said Conveyance had been made by the said Elisha in his life time.

*February 27, 1793.*

### Chapter 61.

RESOLVE ON THE PETITION OF JACOB COMMINGS, JUN. GRANTING HIM £.24 6 10, AS A COMPENSATION FOR A CERTAIN SUM PAID TO SHERIFF GREENLEAF, ON NO. 4 TAX.

On the Petition of Jacob Commings Junr. of Sutton praying for a Compensation for the sum of thirty eight Pounds nine shillings and nine pence paid to Sheriff Greenleaf on No. 4 Tax which sum does not appear to be endorsed on the execution which said Sheriff had against said Commings in favour of this Commonwealth. Therefore

*Resolved* that the prayer of the Petition be so far granted that there be allowed & paid out of the treasury of this Commonwealth to the said Jacob Commings Junr. the sum of Twenty four Pounds six shillings and ten pence in full for the aforesaid sum. *February 27, 1793.*

### Chapter 62.

RESOLVE DIRECTING THE COMMITTEE FOR THE SALE OF EASTERN LANDS, TO EXECUTE DEEDS OF CONVEYANCE AND CONFIRMATION OF SEVERAL GRANTS OF TOWNSHIPS AND TRACTS OF LAND FOR THE ENCOURAGEMENT OF LITERATURE.

Whereas several grants of Townships and Tracts of Land have been & may be made by this Court — for the encouragement of Litarature in the various parts of the Comonwealth :

*Resolved* that all the Lands which have ben or may be granted for the purpose aforesaid be located under the direction of the Committee for the sale of Eastern lands and that said Committee — be and hereby are authorised

& impowered to execute Deeds of conveyance and confirmation of the same conformably to the conditions of such grants.

*February 28, 1793.*

### Chapter 62A.\*

ORDER ON THE PETITION OF ZACCHEUS CROCKER.

On the petition of Zaccheus Crocker.

*Ordered* that the said Zaccheus Crocker notify the inhabitants of said Town of Sunderland by leaving an attested copy of his said petition with this order thereon with the town Clerk of said Sunderland sixty days before the second Wednesday of the next session of the General Court, in order that said town of Sunderland may then appear and shew cause, if any they have, why the prayer of said petition shall not be granted.

*February 28, 1793.*

### Chapter 63.

RESOLVE ON THE PETITION OF JOSIAH JONES AND OTHERS, EMPOWERING THE JUDGE OF PROBATE TO GRANT LETTERS OF ADMINISTRATION.

On the Petition of Josiah Jones and others. *Resolved* that the Judge of Probate within and for the County of Berkshire have power to Grant a letter of Administration on the Estate of Josiah Jones late of Stockbridge, more than twenty years since deceased, and not previously legally divided and that such Administrator have power to sell and convey by deed any such real Estate of said deceased under the rules and regulations of law made and provided for the sale of real estate of minors any law to the contrary notwithstanding.

*February 28, 1793.*

### Chapter 63A.\*

ORDER ON THE PETITION OF JEREMIAH WHITE AND OTHERS.

On the petition of Jeremiah White and others.

*Ordered* that the petitioners notify the town of Abington by leaving an attested copy of their petition with this order thereon with the town Clerk of said Abington forty days before the first Tuesday of the next sitting of the General Court that said town of Abington may then

\* Not printed in previous editions. Taken from court record.

appear and shew cause, if any they have, why the prayer of said petition shall not be granted.

*February 28, 1793.*

### Chapter 64.

RESOLVE ON THE PETITION OF BENJAMIN BASSETT, IN BEHALF OF THE TOWN OF CHILMARK, DIRECTING THE TREASURER TO CREDIT SAID TOWN WITH £.338 16 2, BEING THE AMOUNT OF THE BALLANCES DUE ON TAXES FOR THE YEARS 1777 AND 1778.

On the Petition of Benjamin Bassett, in behalf of the Town of Chilmark praying for an abatement of the balances due from said Town to this Commonwealth on the taxes for the years 1777 and 1778.

*Resolved* that the prayer of said Petition be granted and that the Treasurer of this Common wealth be & hereby is directed to credit the said Town of Chilmark with the sum of three hundred & thirty eight pounds sixteen shillings and two pence being the amount of the balances due on taxes for the years 1777 & 1778.

*February 28, 1793.*

### Chapter 64A.\*

ORDER ON THE PETITION OF THOMAS SMITH AND OTHERS.

On the petition of Thomas Smith and others.

*Ordered* that the petitioners notify the town of Tisbury by leaving an attested copy of their said petition with this order thereon with the town Clerk of Tisbury forty days before the second Tuesday of the next sitting of the General Court, that they may then appear and shew cause if any they have why the prayer of said petition shall not be granted.

*February 28, 1793.*

### Chapter 65.

RESOLVE ON THE PETITION OF THE SELECTMEN OF GREAT-BARRINGTON, GRANTING £.10 0 8, FOR POWDER AND LEAD USED IN GOVERNMENT SERVICE IN THE YEAR 1787.

On the Petition of the Select Men of the Town of Great Barrington, Praying payment for one hundred Pounds of Powder and a Quantity of Lead, used in Government service in the year A D 1787.

\* Not printed in previous editions. Taken from court record.



*Resolved* that the Prayer of said Petition be granted, and that there be Allowed and Payed, out of the Treasury of [of] this Common Wealth, to the Inhabitants of said Town of Great Barrington, the sum of ten Pounds and eight Pence, in full for all the Powder and Lead, found and Provided in manner aforesaid as set forth in said Petition.

*March 1, 1793.*

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### Chapter 66.

RESOLVE ON THE PETITION OF MOSES COOPER, COLLECTOR FOR THE TOWN OF NEWBURY, DIRECTING HIM TO PAY £.3 12, FOR TAXES COMMITTED TO HIM TO COLLECT FOR THE YEAR 1779.

On the Petition of Moses Cooper Collector for the town of Newbury Praying that some irregularities in the Treasurer's Book might Be Rectified.

*Resolved* for Reasons set forth in said Petition that Moses Cooper Collector for the town of Newbury Pay into the treasurer's office of this Commonwealth the sum of three Pounds twelve shillings which shall Be in full for taxes Comitted to him to Colect for the year 1779.

*March 1, 1793.*

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### Chapter 67.

RESOLVE ON THE PETITION OF THE INHABITANTS OF CONWAY.

On the Petition of the Inhabitants of the Town of Conway praying for a further time to pay certain Taxes in said Petition mentiond.

*Resolved* for Reasons Set forth in Said Petition that the Inhabitants of the Town of Conway be allowed a further time of twelve Months from the passing this Resolve for the payment of the remaining Sums due on Taxes number four and number five, and the Treasurer of this Commonwealth is directed to govern himself accordingly.

*March 4, 1793.*

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### Chapter 68.

RESOLVE ON THE PETITION OF TIMOTHY PARSONS.

On the Petition of Timothy Parsons praying that the Sum of One hundred Pounds, which He represents to have been paid to the Commonwealth by him on an Execution issued on a forfeited Recognizance for the

Appearance of his Brother David Parsons, agreeably to a Judgment of the Supreme Judicial Court holden at York in the County of York on the fourth Tuesday of June A D 1791, may be repaid him.

*Resolved* for the reasons set forth in said petition that the prayer thereof be so far granted as that there be allowed & paid out of the Treasury of this Commonwealth to the Said Timothy Parsons the Sum of Sixty Pounds; He first producing Satisfactory Evidence to the Governour & Council that Said Execution bareing date 14th July 1791, for the Sum of one hundred pounds Debt & five Pounds thirteen shillings & two pence cost, has been fully Satisfy'd: & the Governour with the Advice of Council is hereby requested to issue his Warrant accordingly.

*March 4, 1793.*

### Chapter 69.

RESOLVE ON THE PETITION OF AZUBAH BALDWIN EMPOWERING HER TO MAKE SALE OF ESTATE.

On the Petition of Azubah Baldwin praying for Liberty to make Sale of some Real Estate in the Town of Gerry; lately belonging to Henry Baldwin deceased., for the Benefit of his Children.

*Resolved* that the Prayer of the Petition be granted & that the Said Azubah Baldwin Guardian to the Children of the sd. Henry Baldwin is hereby Appointed Authorised & Impowered to make Sale of the one half of a twenty acre pasture lying in the Town of Gerry which has been Inventoried & appraised at the sum of Twenty two pounds ten shillings, in said Petition, At publick Vendue; she observing in every Respect the Rules & Regulations established by Law to be observed by Executors And Administrators & Guardians, who Obtain Licence from the Supreme Judicial or any Court of Common Pleas for the sale of any real Estate & upon such Sale to make & execute good and Sufficient Deed or Deeds to the Purchaser or purchasers thereof.

*March 4, 1793.*

### Chapter 70.

RESOLVE ON THE PETITION OF THE TOWN OF MARBLEHEAD.

On the Memorial of the Inhabitants of the Town of Marblehead.

Whereas the deficiencies of the Public Taxes herein-

after mentioned now due from the said Town, appear to be the unavoidable consequences of their sufferings in the late War, and of the ill success of their trade and concerns through the course of several years since the Peace; and for the relief of that Town under circumstances of great embarrassment, by their Town Debts and otherwise:

*Resolved*, that there be abated to the said Town, and credited to them in the Books of the Treasury by virtue of this Resolve, all the deficiencies of Public Taxes prior to, and including No. 6. Tax, for which the said Town remains in any part chargeable in the said Treasury: And the several Assessments of the said Taxes, shall be revised by the Assessors of the said Town, and all reasonable and charitable abatements shall be made to the individuals liable upon such Assessments, according to the judgment of the said Assessors, and the remainder thereof shall be collected for the Use of the said Town, by the Collectors now holding the said Assessments, or other Collectors to be duly appointed for that purpose. And all sums of money already received upon such Assessments by any Collector, and not accounted for by him, shall be likewise paid to the said Town and shall be recoverable by them as their proper Debt. And all sums of money due from Individuals upon the said Assessments, shall and may be recovered in the name of the said Inhabitants and as their proper Debt, by any Action or Suit to be brought therefor, after three months notice of the Tax or Assessment remaining due after such revision.

*March 4, 1793.*

### Chapter 71.

RESOLVE ON THE PETITION OF HANNAH MOUNTAGUE, JOHN CHESTER WILLIAMS, AND SARAH, HIS WIFE.

On the petition of Hannah Mountague, John Chester Williams & Sarah his Wife.

*Resolved*, that for the reasons set forth in their petition — The prayer of the petitioners be granted — and that the said John Chester Williams, & Sarah his wife be, and they hereby are impowered to Make and execute a warranty Deed in fee Simple of a lot of land the Estate of Nathl. Montague late of Hadl[l]ey decd. lying in said Hadley in the skirts of Forty Acres so called, containing eleven Acres — to the Devises of the said Oliver Warner therein named.

*March 4, 1793.*

**Chapter 72.**

RESOLVE ON THE PETITION OF JOSEPH HENDERSON.

On the Petition of Joseph Henderson praying Allowance, of his Account accompanying said Petition.

*Resolved* that the prayer of said Petition be so far granted, that said Account be laid before the Committee on Accounts for examination & allowance, if they see cause, any law to the Contrary no[t]withstanding.

*March 4, 1793.*

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**Chapter 73.**

ORDER FOR NOTIFYING PROPRIETORS OF LAND IN HAMPSHIRE COUNTY, CALLED ERVING'S GRANT, TO SHEW CAUSE.

*Ordered* that the Proprietors of a tract of Land in the County of Hampshire lying between the Towns of Northfield and Montague and not in any Town known by the Name of Erving's Grant, and the Inhabitants of the Town of Northfield aforesd. be notified to Shew Cause if any they have on the third Wednesday of the next Sessions of the Genl. Court why said Grant of Land should not be annexed to the Town of Northfield. And that the Secretary be & he hereby is directed to publish this Order in the Boston Chronicle and Greenfield Gazette three Weeks successively previous to the third Wednesday of the Next Session of the Genl. Court.

*March 4, 1793.*

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**Chapter 74.**

RESOLVE ON THE PETITION OF ADAM PORTER, GUARDIAN OF WILLIAM PORTER, A MINOR, AUTHORIZING HIM TO MAKE SALE OF THE LAND MENTIONED.

On the Petition of Adam Porter Gaurdian of William Porter a Minor praying that he may be authorized to make sale of the Real Estate of said William & expend the proceeds of such sale, in the purchase of other lands for the benefit of said William.

*Resolved* That the said Adam Porter, he & he hereby is fully Authorized & empower'd to Make sale of said real estate in way & manner by law prescribed for the sale of lands by executors and administrators ; & to make & execute a good & sufficient deed or Deeds to the purchaser or purchasers thereof, & lay out & expend the

proceeds of such sale in the purchase of other lands for the benefit of said Minors — *Provided* that he the said Adam gives bonds with sufficient surety to the Judge of Probate of the County of Hampshire for the faithful discharge of the trust reposed in him by this Resolve.

*March 5, 1793.*

### Chapter 75.

RESOLVE DIRECTING THE COMMITTEE FOR METHODIZING PUBLIC ACCOUNTS, TO CERTIFY BALLANCES DUE TO CERTAIN SOLDIERS, AND DIRECTING THE TREASURER TO LIQUIDATE TO SPECIE VALUE THE SAME.

*Resolved* that the Committee for stating & methodizing public accounts be directed to add ten ¢ Cent to the balance due to the Officers & Soldiers who served during the War & to deduct twenty ¢ Cent from the balance due to the Officers & Soldiers who served three years, & to certify the balance thus ascertained to the Governor & Council, & his Excellency the Governor with advice of Council is hereby requested to draw his Warrant on the Treasurer for the same — & the Treasurer is directed to compute interest thereon from Jan. 1st, 1780 to Jan. 1st, 1786 & to issue his note dated at the period last mentioned, & of the same form as the consolidated notes have been given.

And it is further *Resolved* that the Treasurer be & he hereby is directed to continue to liquidate to specie value on the same principles as has been heretofore practiced all Notes given and Warrants drawn in Old Currency, that may be presented to him for liquidation, & to compute the interest due on the Notes & Warrants thus liquidated to the first day of January 1786 & for the principal & interest thus liquidated & computed to issue his note of the same form as the consolidated notes are given bearing date Jan. 1st, 1786 with interest from said date.

And Whereas by a resolve passed Feby. 19, 1782 the Treasurer is directed, when the balance due to any of the Officers & Soldiers of the Massachusetts line of the Army is ten pounds or between ten pounds & [&] fifteen pounds, then to issue three notes which unnecessarily increases the number of notes :

*Resolved*, that the Treasurer be & he hereby is directed to issue one note for the whole sum due to any of the offi-



cers & soldiers aforesaid, *provided* the person claiming such balance shall consent to the same any law or resolve to the contrary notwithstanding. *March 6, 1793.*

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### Chapter 76.

RESOLVE ON THE PETITION OF JOHN VINAL, IN BEHALF OF THE SETTLERS ON FOX ISLAND, DISCHARGING JOHN CALDERWOOD AND OTHERS.

On the Petition of John Vinal in behalf of the settlers on Fox Island, lately so called, praying that they may be discharged from the balance of thirty six pounds now remaining due in State Notes for the purchase of sd. Island.

*Resolved* that John Calderwo[o]d & others the purchasers & settlers of said Fox Island be & they hereby are discharged from the balance due upon sd. Contract upon their paying to the Treasurer the sum of fourteen Pounds four shillings & 3d  $\frac{2}{3}$ d in specie within six months from the passing this resolution, & that the Treasurer of this Commonwealth be directed to govern himself accordingly. *March 6, 1793.*

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### Chapter 77.

RESOLVE ON THE PETITION OF TIMOTHY FOBES, DIRECTING THE TREASURER TO CREDIT THOMAS JOHNSON THE SUM OF £.8, ON ACCOUNT OF THE TAX COMMITTED TO HIM TO COLLECT AGAINST CLASS NO. 1.

On the Petition of Timothy Fobes, head of the first Class in the Town of Bridgwater for raising men for the Continental Army, in conformity to a resolve of the General Court in March 1782 praying to be discharged from a ballance of Eight pounds which appears by the Treasurers books to be due from Thomas Johnson Collector of the fine assessed on said Class for their deficiency in not procuring a man for said Army agreeably to said resolve.

*Resolved* for reasons Set forth in said Petition that the prayer thereof be granted, and that the Treasurer of this Commonwealth be, and he is hereby directed to Credit the said Thomas Johnson the Sum of Eight pounds on Account the [the] Tax committed to him to Collect against Class No. one in said Bridgwater, whereof the said Timothy Fobes is the head. *March 6, 1793.*

**Chapter 78.**

RESOLVE RELEASING SAMUEL WARD, ESQ. FROM A DEMAND OF THE COMMONWEALTH AGAINST HIM, AND DIRECTING THE TREASURER TO DISCHARGE ANY JUDGMENT RECOVERED OR ANY EXECUTION ISSUED.

*Resolved* that the Demand of the Commonwealth, against Samuel Ward, for the sum of four hundred and sixty one Pounds, ten Shillings and Eleven Pence, one Farthing, which was found due on Settlement, of Accounts, as appears by Report of the Committee of the General Court for that purpose, be released, and that the Treasurer be, and he is hereby ordered and directed, to discharge any Judgment recovered, or any Execution issued on the Same.

*March 6, 1793.*

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**Chapter 79.**

RESOLVE ON THE PETITION OF JESSE RUSSELL.

On the Petition of Jesse Russell praying for relief in a certain case mentioned in the sd. petition.

*Resolved*, that the Executors or Administrators of William Porter, & Jonathan Tidd named in the petition be, & they are hereby respectively impowered to make a deed or deeds of Release, of the messuage & fifty five acres of land mentioned in the petition, to the said Jesse Russell & his heirs in which deed or deeds the sd. Ex[ecut]ors or Adm[inistrat]ors shall release to the said Jesse as aforesaid, the right title & interest of the said deceased persons, & their legal Representatives respectively in & to the sd. messuage & fifty five acres; & the said deed or deeds so made & executed being acknowledged & recorded according to law, shall be good & effectual to release the same messuage & lands, to the said Jesse & his heirs in fee, as fully to all intents & purposes as if the said Wm. Porter and Jonathan Tidd had in their life time, by their deed or deeds respectively, released the said messuage & lands to the said Jesse, he being in actual possession of the same & to his heirs forever.

*March 7, 1793.*

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**Chapter 80.**

RESOLVE ON THE PETITION OF JESSE RUSSELL.

On the petition of Jesse Russell, Praying for liberty to make sale of certain real estate whereof he is tenant by

the curtesy, on condition of his granting to the heirs thereof other real estate of equal value — for the reasons set forth in said Petition.

*Resolved* that the Prayer of said Petition be so far granted that the petitioner be allowed to make sale of said real estate, whereof he is tenant as aforesaid, and he is hereby authorized & empowered to make sale of the same as aforesaid and to make & execute good & sufficient deed or deeds thereof to the purchaser or purchasers thereof, on condition that before the said Jesse shall be allowed to make sale of said real estate as aforesaid, he shall, by good and sufficient deed convey to the heirs of the remainder of said real estate whereof he is tenant by the curtesy as aforesaid & in lieu thereof, such part of the farm whereon he now lives as will be equal in value to the real estate so to be sold by him as aforesaid in the opinion of Samuel Thompson Esqr. who is hereby appointed an agent for said heirs to see that the aforesaid condition is faithfully performed. *March 8, 1793.*

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### Chapter 81.

RESOLVE ON THE PETITION OF JOSHUA BEALLS, IN BEHALF OF  
THE TOWN OF WINDSOR.

On the potition of Joshua Bealls in behalf of the Town of Windsor praying for an abatement of one hundred twenty Sevin pounds part of a tax of one hundrid and Sevinty pounds Sevin Shillings & Eleven penc[e] committed unto Levy Walker, a collector for Said Windsor — he being a defeciant collector.

*Resolved*, for Reasons Set forth in Said potition that the prayers thereof be So far granted that the Treasurer of this Commonwealth be & he is hereby directed to Suspend Issuing Execution against sd. Town of Windsor for the defeciancy of the whole of the tax afore Said that Stands charged to Said Town, for one year from the date here of any Law or Resolve to the Contrary not withstanding. *March 8, 1793.*

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### Chapter 82.

GRANT OF £.35 TO JOHN FULLER.

Whereas Capt. John Fuller late Capt. in the Continental Army, hath represented to this Court, that he is called

upon for the payment of Sundry Articles of Clothing delivered to the Soldiers of his Company when in Service in the Year 1783, to the amount of Thirty five Pounds by reason of the failure and absconding of Africa Hamlin agent for the Regiment to which said Company belonged :

*Resolved*, for reasons set forth in his petition, that there be allowed and paid out of the Treasury of this Commonwealth, to said John Fuller the sum of Thirty Five Pounds, to enable him to discharge the Demand against him for said Supplies, he the said John Fuller to be accountable to this Commonwealth, for said Sum as soon as a Settlement of the account of the said Hamlin shall be completed, either by the said Hamlin or by the Congress of the United States.

*March 8, 1793.*

### Chapter 83.

RESOLVE DIRECTING THE TREASURER TO DISPOSE OF THE PEST HOUSE IN BOSTON EITHER AT PUBLIC OR PRIVATE SALE.

*Resolved*, That the Treasurer of this Commonwealth be and he hereby is authorised and directed to make Sale by public Vendue of The House commonly known by the name of the Pest House with the land adjoining & thereto belonging lying at the Westerly part of the Town of Boston and execute a good and lawful deed thereof and deposit the money arising from said Sale in the Treasury for the use of this Commonwealth & deliver to the Secretary a certificate of the money so deposited. The said House and land being the property of this Commonwealth as appears by deed from Ephraim Turner and Dorothy his Wife to Harrison Gray Esq. formerly Treasurer of the Province of Massachusetts bearing date the fifth day of May one thousand seven hundred and sixty.

*March 9, 1793.*

### Chapter 84.

RESOLVE FOR MAKING A ROAD ACROSS HOOSUCK MOUNTAINS; EXTENDING THE TIME FOR THE COMPLETION OF SAID ROAD, AND APPOINTING ISRAEL JONES AS ONE OF THE COMMITTEE IN THE ROOM OF REUBEN HINMAN, DECEASED.

Whereas the Resolution of the General Court passed the 24th of March 1786 making provision for a road aCross Hoosuck mountain was Limited as to the Comple-

tion of Said road to the first day of December 1787 but the Commotions Within the Common Wealth at that Time prevented Compleating the same: Therefore

*Resolved* that the time for the Completion of said road agreeably to the aforesaid Resolution be and the same is hereby extended to the first day of December 1795 and Israel Jones is appointed one of the Committee who by the Resolution abovementioned were authorized to judge of the road aforesaid, instead of Reuben Hinman deceased.

*March 9, 1793.*

### Chapter 85.

RESOLVE ON THE PETITION OF WILLIAM THOMPSON, GUARDIAN TO HABIJAH SAVAGE.

Upon the Petition of William Thompson—as he is Guardian to Habijah Savage, an insane person, praying for a Licence to sell one undivided third part of a piece of Land situate in Prince Street in Boston, the property of the said Habijah Savage.

*Resolved*, that the said William Thompson, in his said Capacity be, and he hereby is, impowered to sell and convey the one third of the Land aforesaid, either at publick or private sale as the other Heirs of said Land may agree, and a Good and Lawful Deed thereof in fee simple to make and execute; *provided nevertheless, and be it further Resolved*, that previous to said sale, the said William Thompson, shall Give bonds to the Judge of probate for the County of Suffolk, with sufficient sureties; Conditioned, that the monies arising from such sale, shall be put on interest, and holden in trust by the said Guardian, to and for the use of the said Habijah Savage, and his Children.

*March 9, 1793.*

### Chapter 86.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WASHINGTON, AND GRANTING A TAX OF £.163 5 8.

Whereas the Treasurer of ye County of Washington has laid his Accounts before the General Court which Accounts are hereby allowed:

And Whereas ye Clerk of ye Court of General Sessions of ye Peace, for ye sd. County, has laid before ye General Court, An estimate made by ye said Court of General



Sessions of ye Peace, of ye Necessary Charges, which will be likely to arise in sd. County ye current year amounting to ye Sum of one hundred & Sixty three pounds five Shillings & eight pence :

*Resolved*, that the said Sum of one hundred and Sixty three pounds five Shillings & eight pence be, and hereby is, granted, as a Tax for sd. County of Washington, to be Apportioned, Assessed collected and applied in Manner Provided by Law.

*March 11, 1793.*

### Chapter 87.

RESOLVE ON THE PETITION OF BENJAMIN WILLIAMS AND OTHERS.

On the petition of Benjamin Williams, James Allen & the Widow of Benjamin Wentworth praying for Arrearages of Wages &c. on nine Months Service in Colo. Aldens' & Brooks's Regiment in the Years 1778 & 1779.

*Resolved* that there be paid out of the Treasury of this Commonwealth to the said Benjn. Williams, James Allen & the legal Representative of [of] Benjn. Wentworth the Sum of ten pounds each, & also the additional Sum of twelve shillings to each in Lieu of a Blankett, being in full of the ballance due to them on Said Service.

*March 9, 1793.*

### Chapter 88.

RESOLVE ON THE PETITION OF WAITSTILL JOHN PLUM, GRANTING HIM £.13 17 2.

On the Petition of Waitstill John Plum, for reasons set forth in said Petition.

*Resolved* That there be allowed & paid out of the public Treasury of this Commonwealth—to the said Waitstill John Plum, the sum of thirteen pounds seventeen shillings & two pence, out of the proceeds of the Estate of Timothy Hierliky, an Absentee, in full satisfaction of a Note of hand dated Octo. 19, 1774, made by said Hierliky to said Plum—*provided* said Plum or his Attorney deliver said Note with a Receipt for the Contents thereof, to the said Treasurer and also give Bond, with sufficient Sureties, to the said Treasurer, to refund the said Sum, in Case the General Court shall at any time hereafter require it.

*March 11, 1793.*

## Chapter 89.

RESOLVE ON THE PETITION OF SILAS HOLMAN AND OTHERS.

On the Petition of Silas Holman & others. *Resolved* that the Said Silas be and he hereby is Impowered to make & Execute a good & Lawfull Deed of about one acre & a half of Land, belonging to the Heirs of Eliakem Atherton late of Bolton in the County of Worcester Deceased, to the Inhabitants of said Town for a Meeting House plot, and also, in behalf of Said Heirs, to Receive from Said Inhabitants a Deed of one other peice of Land, of Equal value, in full Compensation for the land first Mentioned any Law or Resolve to the Contrary notwithstanding.

*March 11, 1793.*

## Chapter 90.

RESOLVE FOR THE ADJOURNMENT OF THE COURT OF COMMON PLEAS IN THE COUNTY OF PLYMOUTH.

Whereas the Court of Common Pleas and the Court of General Sessions of the Peace are by Law to be holden at Plymouth within and for the county of Plymouth on the second Tuesday of April next; and whereas the eleventh day of the said April is appointed for a day of General Fasting and Prayer, which renders it inconvenient that the said Courts should be holden at the time appointed by Law :

Therefore — *Resolved*, That the Court of Common Pleas and Court of General Sessions of the Peace, which by law should be holden at Plymouth within and for the county of Plymouth on the second Tuesday of April next, be and they hereby are adjourned to the third Tuesday of the same April then to be holden at Plymouth, within and for the County aforesaid : and all writs, processes and recognizances returnable to, and all appeals made to the said Court of Common Pleas and Court of General Sessions of the Peace appointed by Law to be holden at Plymouth as aforesaid : and all matters, causes and things, that might have had day, or that might have been had, moved or done at, in or by the said Courts or either of them, at the time by Law appointed for holding the same, shall be returnable to, and may be entered, prosecuted, had, moved and done, at, in and by the said Courts, at the

time hereby appointed for holding the same, any Law to the contrary notwithstanding. And the Secretary is hereby directed to publish this resolve in the Independent Chronicle three weeks successively the first publication to commence as soon as may be after the passing the same.

*March 11, 1793.*

### Chapter 91.

RESOLVE ON THE MEMORIAL OF THE SELECTMEN OF EDGARTOWN.

On the memorial of the Select men of Edgartown in the County of Dukes County in behalf of Thomas Pease Constable for Said Town in the year 1775.

*Resolved* for Reasons Set forth in Said Memorael that the Treasurer of the Commonwealth be and he is hereby Directed to Discharg[e] Said Pease of the Sum of Twenty five Pounds Eighteen Shillings and Eleven Pence he being a Deficent Collector.

*March 11, 1793.*

### Chapter 92.

RESOLVE ESTABLISHING THE PAY OF THE COUNCIL, MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, AND EXTRA PAY TO THE PRESIDENT AND SPEAKER.

*Resolved*, that there be allowed & paid out of the Treasury of this Commonwealth, to each Member of the Council, Senate & House of Representatives nine Shillings per Day for each Days attendance the Present Session; and a like Sum for every ten Miles travel, from their respective[s] places of abode to the place of the Setting of the General Court.

And it is further *Resolved*, that there be paid to the President of the Senate & [&] Speaker of the House of Representatives six shillings per Day, each, for each Days attendance over & above their pay as Members.

*March 12, 1793.*

### Chapter 93.

RESOLVE ON THE PETITION OF BENJAMIN EDWARDS.

On the Petition of Benjamin Edwards praying for Liberty to file a Complaint upon a Defaulted Action, on a Judgment recovered by the said Edwards, against one William Oliver of Chelsea in the County of Suffolk, as

set forth in said Petition, at the Supreme Judicial Court now holden at Boston within and for the said County of Suffolk : for Reasons set forth therein.

*Resolved* that the prayer of said Petition be granted, and that the said Edwards have liberty to file his said Complaint against the said Oliver, at the present supreme Judicial Court, now holden at Boston within and for said County of Suffolk, and that the Justices of the said Judicial Court are hereby Authorized to take cognizence thereof and are hereby empowered to affirm the said Judgement and grant Execution thereupon in ye like way and manner as might have been done, by Law, had the said Complainent have filed his complaint, at the then next Superior Court to which the said Oliver's appeal was made — Any Law or usage to the contrary notwithstanding.

*March 13, 1793.*

### Chapter 94.

RESOLVE ON THE PETITION OF JOSIAH HITCHCOCK, GRANTING HIM £.7 10.

On the Petition of Josiah Hitchcock Administrator on the Estate of Levi Hitchcock, praying for Payment of five months wages due to the said Levi, for Service in the Continental Army under Genl. St. Clair in 1777.

*Resolv'd* That there be Allowed and paid out of the Treasury of this Commonwealth to the aforesaid Josiah Hitchcock as Administrator to the said Levi Hitchcock, the Sum of Seven Pounds and Ten Shillings, in full for said Service & that the said Sum of Seven Pounds and ten Shillings be Charg'd to the Debt of the United States.

*March 13, 1793.*

### Chapter 95.

RESOLVE ON THE PETITION OF ELIJAH WILLIAMS.

On the Petition of Elijah Williams, in behalf of the Inhabitants of West Stockbridge Praying for a Remission of a Certain Tax Commonly called new Emission Tax for one hundred and twenty nine Pounds three shillings & three Pence, on which there Now appears due from said Town one hundred and one Pound fifteen shillings & seven Pence.

*Resolved* for reasons set forth in said Petition, that the Prayer thereof, be so far granted, that Provided said Town of West Stockbridge shall pay into the Treasury of this Common Wealth, the sum of thirty three Pounds eighteen shillings & six Pence in Specie, within one Year from the first Day of June next, that the Treasurer of this Common Wealth, shall receive said last Mentioned sum, in full Discharge of said Ballance of said Tax — and shall discharge said Town therefrom. *March 13, 1793.*

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### Chapter 96.

RESOLVE ON THE PETITION OF THOMAS SCOTT, A SERGEANT  
IN COL. GREATON'S REGIMENT.

On the Petition of Thomas Scott, a Sergeant in Colo. Graton's Regt., Setting forth that his wages were drawn by a forged Order, and praying Compensation therefor.

*Resolved* that the prayer thereof be Granted and that the Treasurer be and he is hereby directed to Issue his Notes to the Said Thomas for his Services as a Sergeant in Colo. Greatons Regt., in the Same way and manner as has been practiced to other Soldiers, the wages being drawn by a forged Order Notwithstanding.

*March 14, 1793.*

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### Chapter 97.

RESOLVE ON THE PETITION OF NATHANIEL THWING, TREASURER OF THE COUNTY OF LINCOLN.

Upon the Memorial of Nathaniel Thwing Treasurer of the County of Lincoln, Praying for the Order of this Court respecting Taxes due from the Counties of Hancock & Washington to said County of Lincoln.

*Resolved* That the Treasurer of the County of Lincoln be & he hereby is, directed to give notice to the Several Towns, Districts & Plantations within the Counties of Hancock & Washington that are delinquent in the Payment of the County Taxes assessed upon them by the Court of General Sessions of the Peace for the said County of Lincoln, Prior to said two Counties being Incorporated, of the sums due from each Place, by leaving a Copy of this Resolve with the Several Clerks of said Towns, Districts & Plantations in the said Counties, and if the sums due from each Place shall not be Paid into the Treasury of said County of Lincoln in six months



after their having recd. such notice, Then it shall be in the Power of the said Treasurer of the County of Lincoln, & he is hereby order'd & directed to issue his Warrant of Distress against the Inhabitants of such delinquent Town, District or Plantation, directed to the Sheriff or his deputy, or to the Coroner of each or either of the said Counties respectively, requiring them to levy the sum or sums mention'd in said Warrant upon the Inhabitants of said delinquent Place or Places and the Sheriffs their deputys & Coroners of each of said Counties of Hancock & Washington are hereby order'd & directed to obey such Warrant & to execute the same without delay, immediately after receiving the same in the same manner that they are obliged to do in all other Cases whatever & the same remedy shall be had against such Sheriffs or Coroners of said Counties of Hancock & Washington by the said Treasurer of the County of Lincoln for Neglect of Duty, as the Law in such Cases directs in said County of Lincoln. And in Case the said Sheriffs or Coroners of either of said Counties of Hancock & Washington upon receiving such Warrant of Distress from the Treasurer of said County of Lincoln shall levy the same upon any or either of the Inhabitants of such delinquent Town, District or Plantation, then unless the Inhabitants of such Delinquent Town District or Plantation shall immediately pay said sum or sums together with the Cost arising thereon to such Person or Persons upon whom said sum or sums may be levied, it shall then be in the Power of such Person or Persons to sue for & Recover the same against the Inhabitants of such Delinquent Town, District or Plantation in any Court Proper to try the same.

And it is further *Resolved* that all Cost that may arise in giving such Notice as aforesaid by the Treasurer of said County of Lincoln, shall be paid by said Delinquent Towns Districts & Plantations, such Cost to be apporportion'd by the Court of General Sessions of the Peace for said County of Lincoln, & to be included in said Warrant of Distress.

*March 14, 1793.*

### Chapter 98.

RESOLVE ON THE PETITION OF JOSEPH TUCKER, ADMINISTRATOR TO THE ESTATE OF ELISHA STUART, DECEASED.

On the petition of Joseph Tucker Administrator to the Estate of Elisha Stuart, of York, deceased praying that

the Committee of Army Accounts may Certify the balance due to said Stuart and the Treasurer may be Authorised to pay the same.

*Resolved* that John Deming Esqr. the Committee of Army Accounts Certify to His Excellency the Governor, and Council, the balance due to the Estate of Elisha Stuart, late soldier in Colo. John Brooks's 7th Massachusetts Regiment, and his Excellency with advice of Council is requested to Issue his Warrant on the Treasurer Authorising him to pay the same to the said Joseph Tucker — as other Soldiers have been paid. *March 14, 1793.*

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### Chapter 99.

RESOLVE ON THE PETITION OF ELIJAH TURNER, JAMES BRIGGS, JUNR. AND HAYWARD PEIRCE.

On the Petition of Elijah Turner James Briggs Junr. and Hayward Peirce Guardians to Gideon Chittendon of Scituate in the County of Plymouth, a person *non compos Mentis*.

*Resolved* that the doings of the said Elijah, James and Hayward in their said Capacity be, and are hereby confirmed, any irregularities or omissions of the late Judge of Probate for said County relative to their appointment notwithstanding: *Provided* that the said Guardians shall settle their Account of Guardianship of the sd. *non compos* with the present Judge of Probate for said County of Plymouth as soon as may be, and shall also give Bond to the said Judge as such Guardians are by Law required and receive a Letter of Guardianship from said Judge.

*March 14, 1793.*

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### Chapter 100.

RESOLVE ON THE PETITION OF BARNARD COLE.

On the petition of Barnard Cole a Private Soldier in Coll. James Weston's Regt. & Capt. Jno. Blanchard's Company, setting forth that his wages were drawn by a forged Order, and praying compensation therefor.

*Resolved* that the prayer thereof be granted & that the Treasurer be & he is hereby directed to issue his Notes to the sd. Barnard Cole for his services as a Private in Coll. James Weston's Regt. in the same manner as has been practiced to other Soldiers, the wages being drawn by a forged Order notwithstanding. *March 14, 1793.*

**Chapter 101.**

RESOLVE ON THE PETITION OF SAMUEL WARD.

On the Petition of Samuel Ward. *Resolved*, for Reasons set forth in sd. Petition, that the Prayer of the same be granted, and the Judge of Probate for the County of Worcester, is hereby authorized & directed, further to extend the time of receiving the Claims of Creditors of the insolvent Estates of Levi & Catharine Willard, not exceeding the term of twelve months, from the passing of this Resolve — any Law to the contrary notwithstanding.

*March 15, 1793.***Chapter 102.**

RESOLVE AUTHORIZING EBENEZER THAYER, ESQ. TO ISSUE HIS WARRANT TO SOME PRINCIPAL INHABITANT OF THE TOWN OF BRAINTREE, FOR THE PURPOSES MENTIONED.

Whereas part of the town of Braintree in the County of Suffolk is set off and incorporated into a separate town by the name of Randolph, and all the Selectmen of said Braintree except one, live in that part of the town now sett off & incorporated by the name of Randolph as aforesd., by reason whereof there remain no Selectmen within the now town of Braintree to call a meeting of the Inhabitants thereof: Therefore

*Resolved* that Ebenezer Thayer junr. Esq. be and he hereby is authorised, to issue his warrant directed to some principal Inhabitant of the now town of Braintree in the County of Suffolk, impowring & requiring him to notify and warn a Meeting of the Inhabitants of said Town of Braintree on the first monday in April next for the Choice of Town officers, and for the transaction of any other Business that may be legally transacted at the annual meetings of other towns in this Commonwealth.

*March 14, 1793.***Chapter 103.**

RESOLVE ON THE PETITION OF EPHRAIM WINSLOW, DIRECTING THE TREASURER TO CREDIT THE TOWN OF FREETOWN THE SUM OF £.23 5 4.

On the petition of Ephraim Winslow praying that the town of Freetown may be credited in the books of the

Treasury of this Commonwealth the sum of Twenty Three pounds five shilling & four pence.

*Resolved* That the prayer of said petition be granted, and that the Treasurer of this Commonwealth be & is hereby directed to credit the town of Freetown the sum of twenty three pounds five shillings & four pence.

*March 14, 1793.*

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### Chapter 104.

RESOLVE ON THE PETITION OF ISAAC SNOW, ADMINISTRATOR  
ON THE ESTATE OF EZEKIEL SAWYER.

On the Petition of Isaac Snow Administrator on the Estate of Ezekiel Sawyer a Corporal in Colo. Brooks's Regt. praying that he may Recieve the wages due to the estate of the said Ezekiel Sawyer.

*Resolved* that John Demming Esqr. Certify to the Governor and Council, in favour of the Lawfull heirs of Ezekiel Sawyer, the pay or arrears of pay due to the estate of the Said Ezekiel for his Services as a Corporal in Colo. Brooks Regt., and that the Treasurer on receiving warrant therefor be and he is here by directed to Issue his Note or Notes to the Said Ezekiel in the Same way and manner, as has been practiced to other Soldiers.

*March 14, 1793.*

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### Chapter 105.

RESOLVE ON THE PETITION OF BENJAMIN JOSLYN, IN BEHALF  
OF JACOB PEPPER.

On the Petition of Benjamin Joslyn in behalf of Jacob Pepper a Constable of the Town of Ware in the County Hampshire Praying that two Executions against said Pepper in favor of the Commonwealth may be stayed for a certain time.

*Resolved* that the Prayer of the Petition be granted and that said Executions be stayed for the Term of six months *provided* that the sum of Twenty four Pounds two shillings (being one half of the first Execution) be paid, in March instant and the Treasurer of this Commonwealth is hereby directed to govern himself accordingly.

*March 15, 1793.*

## Chapter 106.

RESOLVE ON THE PETITION OF THOMAS ALEXANDER.

*Resolved* that the Treasurer of this Commonwealth be and he hereby is Directed to Issue his note or notes to the said Thomas Alexander a Soldier in Colo. Crane's Regiment in the same way and manner as has been practiced to other Soldiers for Simelar Services, his wages being drawn by a Forged Order notwithstanding.

*March 16, 1793.*

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## Chapter 107.

RESOLVE ON THE PETITION OF MRS. ELIZABETH SPARHAWK.

On the petition of Mrs. Elizabeth Sparhawk, and Charles Chauncey, Esqr. Attorney to said Elizabeth Sparhawk — praying that the demands she has against the Estate of Sir William Pepperall may be liquidated and the balance paid her, and praying for leave to sell Sundry Lands &c. lying in the County of York which Gover[n]ment has confiscated.

*Resolved* that the Honble. Benjamin Chadbourn, David Sewall & Nath. Wells Esqrs. or a Major part of them be, & they hereby are authorized & directed to liquidate and ascertain the claim of said Elizabeth Sparhawk & certify to his Excellency, the Govenour and the Honourable the Council, the balance that may be found due to her by the last Will, and Testiment of Sir William Pepperall Baronet deceased and his Excellency the Govenor with advice of Council is requested to Issue his Warrant directing the Treasurer to pay the same out of the monies that may come into the Treasury from the sales of the said Sir William Pepperalls Estate to the said Elizabeth Sparhawk or her heirs.

And be it further *Resolved* that Joseph Tucker Esquire be Authorised to sell the House Situate in York, in the County of York, known by the name of the brick House tavern formerly occupied by Colo. E. Prebble, togather with Six Acres of land, more or less belonging to the same — And also to sell the Mansion house, of the late Sir William Pepperall, Baronet deceased, standing in Kittery; with about three Acres of land adjoining, and the remains of the old wharf in front of said House to the best Advan-



tage — which lands, and tenements, became forfeited by an Act of the General Court *Provided* the said Elizabeth shall relinquish her right of life in the Estate aforesaid. And the said Joseph Tucker Esq. is Authorised to give good and sufficient Deeds of Conveyence for the same in behalf of the Commonwealth, and is directed to pay the monies arising from the sales into the Treasury as soon as possible after the sales.

And it is further *Resolved* that Mrs. Elizabeth Sparhawk or her heirs shall receive annually from the Treasury aforesaid the Interest on the Amount which the aforesaid houses, and lands, may sell for, during her life. And the said Joseph Tucker Esqr. shall give bonds to the Treasurer in the Sum of five hundred pounds, conditioned for the faithfull discharge of the bussiness Committed to him.

*March 16, 1793.*

### Chapter 108.

RESOLVE ON THE PETITION OF BENJAMIN SHATTUCK, GRANTING HIM £.50.

On the Petition of Benjamin Shattuck, praying for some relief, relative to the payment of a Bond given to Sir William Pepperill.

*Resolved*, for reasons set forth in said Petition, that the prayer thereof be so far granted, as that there be allowed & paid out of the Treasury of this Commonwealth, to the sd. Benjamin the Sum of fifty Pounds lawful money, it being the specie value of the money he paid for the use of Government.

*March 18, 1793.*

### Chapter 109.

RESOLVE ON THE PETITION OF THOMAS SAVERY.

On the Petition of Thomas Savery, praying that the Judge of Probate of Wills &c. for the County of Plimo. may be empowered to grant Administration on the Estate of Joseph Ransom Deceased, to him, twenty years being elapsed since the decease of the said Ransom, notwithstanding.

*Resolved*, for reasons set forth in said Petition, that the Judge of Probate of Wills &c., for the County of Plimo. be & he hereby is empower'd to grant letters of Administration on the Estate of Joseph Ransom late of Pokeepsie

in the State of New-York Dees'd, to the said Thomas Savery (or some other principal Creditor) to said Estate as he shall think Just; who shall give Bonds for the faithful discharge of his duty therein, agreeably to Law; any thing in any Law of this Commonwealth to the Contrary notwithstanding.

*March 18, 1793.*

### Chapter 110.

RESOLVE ESTABLISHING THE PAY OF THE COMMITTEE OF VALUATION.

*Resolved*, That there be allowed & paid out of the public Treasury of this Commonwealth the Sum of eleven Shillings a Day to the several Members of the Legislature for their services as Members of the Committee of Valuation for each day they attended on the said service from the fifth Day of December last past to the Day of the present meeting of the General Court, & two shillings a day each as extra pay over & above their pay as members of the Legislature during their continuance in that service.

*March 18, 1793.*

### Chapter 111.

RESOLVE ON THE PETITION OF WILLIAM SHEPHARD, IN BEHALF OF THE TOWN OF WESTFIELD, DIRECTING THE TREASURER TO CREDIT THE SAID TOWN WITH THE SUM OF £.74 1 8.

On the Petition of William Shepard in behalf of the Town of Westfield, praying that a Fine required of the said Town for a deficiency of one Man, which said Town was required to raise, in the year 1782, to Serve in the Continental Army for three years, may be abated.

*Resolved*, for reasons set forth[*th*] in said Petition, that the prayer thereof be granted and the Treasurer of this Commonwealth is hereby directed to credit the said Town of Westfield, the sum of Seventy Four Pounds one shilling[s] & Eight pence, that being the sum which said Town hath been Fined for the deficiency of raising one Man, as aforesaid.

*March 18, 1793.*

### Chapter 112.

RESOLVE ON THE PETITION OF ISAAC SOLLENDINE.

On the Petition of Isaac Sollendine setting forth that there are Lands formerly belonging to Abel Willard Esqr.

an absentee and now the Property of this Commonwealth lying in Common & undivided with the Petitioner & praying the Same may be divided or sold to the Petitioner.

*Resolved* that the Prayer of the Petition be so far granted that Mr. Ephraim Carter of Lancaster in the County of Worcester be & he is hereby authorised & Impowered to Sell the Lands aforesaid to the Petitioner or any other Person or Persons for the most the Same will fetch and to give & Execute a Deed or deeds of the same and that the Said Carter Pay the proceeds therof into the Treasury of this Commonwealth.

*March 18, 1793.*

### Chapter 113.

RESOLVE ON THE PETITION OF ABEL WILDER, GRANTING HIM  
£.1 19 11.

On the petition of Abel Wilder sergeant in the late tenth Massachusetts Regiment, setting forth that by a resolve, of the General Court of this Commonwealth, passed May 1st 1778 all the Soldiers belonging to this States troops, who were in Camp, on, or before the Fifteenth Day of August 1777 were entitled to a gratuity of One hundred Dollars, which he has not receiv'd although he was entitled to the Same.

*Resolved* that there be allowed & paid out of the public Treasury to the said Abel Wilder the sum of One pound Nineteen shillings & eleven pence with Interest from the first day of January One Thousand seven hundred & eighty two in full of the gratuity aforesaid, & the Treasurer is hereby directed on receiving a Warrant therefor, from the Governour, to pay the same accordingly.

*March 18, 1793.*

### Chapter 114.

RESOLVE ON THE PETITION OF JONATHAN MOREY.

*Resolved* that the Treasurer of this Commonwealth be and he hereby is directed to Issue his note or notes to the said Jonathan Morey a Soldier in Colos. Shepards and Jacksons Regiments in the same way and manner as has been practiced to other Soldiers for Similar Services — his wages having been Drawn by a forged Order notwithstanding.

*March 18, 1793.*

**Chapter 115.**

RESOLVE ON THE PETITION OF THE SELECTMEN OF HANCOCK.

On the petition of the Select Men of the Town of Hancock in the County of Berkshire praying for the Suspension of the operation of an Act: entitled An Act to provide for the instruction of Youth, and for the promotion of good Education; so far as it respects the said Town of Hancock.

*Resolved* in consideration of the running the late line, three out of five of the School Houses of the Town of Hancock are cut off from the use of the Inhabitants said School Houses now belonging to New York State; and the impossibility of the Inhabitants accomodating themselves in any other way — That the prayer of the petitioners be granted, and that the Town of Hancock be exempted from the operation of said Act, for the term of three years any Law or resolve to the contrary notwithstanding.

*March 18, 1793.*

**Chapter 116.**

RESOLVE GRANTING TO WILLIAM SHEPARD, ESQ. £.13 17 4, IN FULL COMPENSATION FOR MONEY ADVANCED BY HIM IN THE SERVICE OF GOVERNMENT.

On the Petition of William Shepard Esqr. praying a further grant of thirteen pounds seventeen shillings & four pence in full for advances made by him in the service of Government in the Years 1786 & 1787.

*Resolved* That there be Allowed & paid out of the Treasury of this Commonwealth to William Shepard Esqr. the sum of thirteen pounds seventeen shillings & four pence in full compensation for the monies advanced by the said William as aforesaid.

*March 19, 1793.*

**Chapter 116A.\***

RESOLVE ON THE MEMORIAL OF JOHN LUCAS.

On the Memorial of John Lucas.

*Resolved* that there be allowed & paid out of the public Treasury the sum of two hundred and fifty six pounds being the whole Amount of Pensions due to Thomas

\* Not printed in previous editions. Not signed by the governor.

Bowling one hundred and Six pounds fifteen shilling and eight pence, Richard Harris forty seven pounds Eighteen shilling John McGoff thirty two pound ten shilling and ten pence and Luther Little sixty eight pounds fifteen shilling and six pence out of any money in the Treasury not otherwise appropriated said sums being the whole amount of their Pensions to the first of Jany. 1793, and the Govenour with the advice of Counsell is request. to issue his warrants on the Treasury for the same. and tis further *Resolved* that the Govenor be and hereby is Req'd for the future to issue his Warrants on the Treasurer quarterly for the payment of the above-mentioned Pensioners.

*March 19, 1793.*

### Chapter 117.

RESOLVE ON THE PETITION OF MARY BETHUNE.

On the petition of Mary Bethune praying for the Interest due on sundry notes for money loaned to the late Province of Massachusetts Bay previous to the Commencement of the late war with Great Britain.

*Resolved* that there be allowed & paid out of the public treasury one years Interest due on said notes, the principal of the same amounting to the sum of Three Thousand Two Hundred & Eighty Eight pounds  $2\frac{2}{3}$ d out of any monies in his hands not otherwise appropriated.

*March 19, 1793.*

### Chapter 118.

RESOLVE ON THE PETITION OF GEORGE HALL AND OTHERS.

On the Petition of George Hall and others Accompanied with a Representation from the Committee for the Sale of unappropriated Lands in the County of Berkshire.

*Resolved* that the Committee for the Sale of unappropriated Lands in the County of Berkshire be and they hereby are authorized, and impowred to Settle with the Several Persons to whom they have Sold any part of the Lands aforesaid, Payment for which was to have been made in Consolidated Notes — and to Receive in lieu of and as a Commutation for Said Notes Such Sums in Specie as they the Said Committee may think is Just and Equitable.

*March 19, 1793.*



**Chapter 119.**

## RESOLVE ON THE PETITION OF FRANCIS HARE.

On the petition of Francis Hare Attourney to John Phelps Late a Soldier in Colo. Bailys Regt. in the Late Continental Army Praying that he may receive the Wages due to the said John Phelps.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or Arrears of pay due to the said John Phelps for his Services as a private Soldier in Colo. Bailys Regt. and the Treasr. on Receiving a Warrant is hereby Directed to Issue his note or notes to the said Francis Hare in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

*March 20, 1793.*

**Chapter 120.**

## RESOLVE ON THE PETITION OF THOMAS HITCHCOCK.

On the Petition of Thomas Hitchcock Praying for the wages of Amos Stedman late a Soldier in the Continental Army in Colo. Greateon's Regiment and also the wages of John Stedman a Soldier in the same Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council in Favour of the Lawfull Heirs of the said Amos Stedman and John Stedman the pay or arrears of Pay due to the said Amos Stedman and John Stedman both private Soldiers in Colo. Greateons Regiment and the Treasurer on receiving a Warrant therefor, is hereby Directed to Issue his note or notes in the same way and manner as has been Practiced in paying other Soldiers for Simelar Services.

*March 20, 1793.*

**Chapter 121.**

## RESOLVE ON THE PETITION OF DAVID BEAL.

On the petition of David Beal. *Resolved* that the Collector of Excise for the County of Plymouth be and hereby is authorized and directed to credit and allow to the said David in the settlement of his Excise Account the sum of Thirteen pounds and seventeen shillings for an Excise order for twenty one pounds and six shillings which the said Beal purchased and paid to the said Collector and which was also received by the Treasurer of the

Commonwealth of said Collector but afterwards was returned to said Collector being discovered to have been forged, the innocence and integrity of the said Beal in the premises being apparent, and the person of whom the said Beal purchased said order having absconded while the order was in the hands of the Officers of Government, whereby the said Beal has lost his remedy against him.

And the Treasurer of the Common Wealth is also hereby authorized and directed to credit and allow to the said Collector of Excise in the settlement of his Account the same sum of Thirteen pounds and seventeen shillings for and on account of the order abovementioned.

*March 21, 1793.*

### Chapter 122.

RESOLVE ON THE PETITION OF JOSEPH TUCKER AND PARK HOLLAND, GRANTING THEM £.150 EACH.

On the Petetion of Joseph Tucker Late pay master and Agent of the Seventh Regiment of the Massachusetts line, and Park Holland Late pay master and Agent of the fifth Regiment of the Massachusetts Line Praying Further Compensation for their Services.

*Resolved* that There be allowed and paid out of the publick Treasury of this Commonwea[l]th to the said Joseph Tucker and Park Holland the sum of one hundred and fifty pounds Each Out of any Monies unappropriated in the said Treasury, which with the sum of one hundred and Twenty pounds heretofore Recd. by Each of the said petetioners shall be Considered as a full Compensation to the said agents for their said services the same to be charged to the United States.

*March 21, 1793.*

### Chapter 122A.\*

ORDER ON THE PETITION OF JAMES FISK.

On the petition of James Fisk agent for the town of Greenwich, praying that he may be impowered to review three actions brought by David Armour, John Armour & Mary Armour against James Nevins for reasons set forth in said petition.

*Ordered* that the petitioner serve the said David Armour, John Armour and Mary Armour with an attested copy of his petition and this order thereon twenty days

\* Not printed in previous editions. Taken from court record.

before the third Wednesday of the first session of the next General Court to appear on said third Wednesday & shew cause if any they have, why the prayer of the said petition should not be granted. *March 21, 1793.*

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### Chapter 123.

RESOLVE ON THE PETITION OF JOSIAH CARTER AND OTHERS.

On the Petition of Josiah Carter & others praying for Liberty to lay their Accounts before the Committee on Accounts.

*Resolved* for Reasons set forth in said Petition that the prayer thereof be granted and the Committee on Accounts are hereby impowered to examine and allow the said accounts or such part thereof as shall appear to them to be Just and right any law or Resolve to the Contrary notwithstanding. *March 21, 1793.*

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### Chapter 124.

RESOLVE DIRECTING THE ATTORNEY GENERAL TO PROSECUTE CERTAIN PERSONS WHO HAVE UNLAWFULLY ENTERED ON LANDS OF THIS COMMONWEALTH ON BOTH SIDES ANDROSCOGGIN RIVER.

Whereas there is reason to believe that certain persons under the denomination of the Pejepscut proprietors, have unlawfully entered on the lands of this Commonwealth lying on both sides of Androscoggin River in the Counties of Cumberland & Lincoln claiming the same under pretence of title, which has rendered it expedient to have the limits of their claim settled by judicial proceedings: Therefore

*Resolved*, that the Attorney General be & he is hereby directed to commence & prosecute action or actions process or processes according to the laws of this Commonwealth, in order to remove intruders, & to cause the Commonwealth to be quieted in the possession of the lands thereof, on both sides of the said Androscoggin River above and Northwardly of a Southwest line, drawn on the Westerly side of the said River from the Uppermost part of the upper falls in the town of Brunswick, & on the East side of the said River northwardly of a Northeast line drawn from the said River five miles above the said uppermost falls in the town of Brunswick, extending up the said

river to the limits of this Commonwealth & holding the breadth of four miles on the west side of said River & extending to the lands belonging to the Plymouth Company & Kennebeck river on the east side of said River, *Provided* that no suit or process shall be brought against any person within the limits of the tract afore described holding under a grant from this government or by any title confirmed by this government.

And it is further *Resolved* that the Attorney General be & he is hereby impowered, at the expence of the Commonwealth to obtain such assistance in the prosecution of such suits as he may judge necessary. *March 21, 1793.*

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### Chapter 125.

RESOLVE ON THE PETITION OF THOMAS WOOD, 3d, GRANTING HIM £.6 5 4.

On the Petition of Thomas Wood 3rd. of Middleboro late a Nine Months Soldier in Colo. Bradford's Regt. Setting forth that he has been unjustly deprived of his wages, and whereas it appears after a Critical enquiry that there were Two other Persons by the Name of Thomas Wood in Said Service from Newbury Port, the father and son, tho' Not in the same Regt., one of whom was Not returned, and by reason of Said Omission Thomas Wood the Father Applying for his and his Sons wages drew what was really due to Thomas Wood of Middleboro aforesaid Suposing it to be his Sons.

*Resolved* that there be allowed and paid out of the public Treasur[y] to the Said Thomas Wood the Petitioner the Sum of Six pounds five Shillings and four pence being the Sum which he was made up in the return, in the Same way and Manner as other Soldiers were paid for Similar Services it having been paid as aforesaid Notwithstanding. *March 21, 1793.*

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### Chapter 126.

RESOLVE ON THE PETITION OF JAMES SPROUT, ESQ.

On the Petition of James Sprout Esqr. praying that the wages due to the estate of Pelham Wood a Soldier in the Army of the United States deceased, may be paid to the heirs of the Deceased.

*Resolved* that the prayer thereof be granted and that

John Demming Esqr. Certify to the Governor and Council in favour of the Lawfull heirs of Pelham Wood the pay or arrears of pay due to the Heirs of Said Wood for his Services as a Soldier in the Continental Army, and that the Treasurer be and he is here by directed on receiving the Governor's warrant therefor to Issue his Note or Notes to the sd. Pelham Wood, in the Same way and manner as other Soldiers were paid, for Similar Servic[e]s.

*March 21, 1793.*

### Chapter 126A.\*

ORDER DIRECTING THE SECRETARY TO MAKE A TRANSCRIPT OF THE COUNTY BOOKS CONTAINING VALUATION.

*Ordered* that the Secretary be, and he hereby is directed to make a fair transcript of the several County books which contain the estimates of the property by which the Committee on valuation made their report, which together with the report of said Committee, and the new draft as accepted and established by the present General Court containing the sum each town, district and plantation shall pay to a thousand pounds in future taxes, he shall cause to be bound in one volume, and lodged in the Secretary's office. And the Secretary is further directed to cause said new draft to be printed amongst the resolves of the present session.

*March 27, 1793.*

### Chapter 127.

RESOLVE ON THE PETITION OF SAMUEL LAURENCE.

Upon the Petition of Samuel Laurence of Groton in the County of Middlesex.

*Resolved* for the reasons set forth in said Petition, that all the right and title of this Common wealth in and to the lands tenements and hereditaments in said Groton now in the said Samuel's possession which were formerly the estate of Samuel Tarbell late of said Groton, Gentleman, deceased, which he the said Laurence claims as heir to his Father Amos Laurence deceased, whose title thereto was by purchase partly from this Commonwealth & partly from the heirs of said Samuel Tarbel deceased, be and hereby is remised released and quitclaimed to him the

\* Not printed in previous editions. Taken from court record.



said Samuel Laurence his heirs and assigns forever; Upon Condition that he release to the Commonwealth in such manner as the Attorney General shall direct, all the covenants to warrant two ninths of the premises, contained in a certain deed made to said Samuel Laurence's said Father (by James Prescott Esq. & others a Committee of the General Court appointed for that purpose) of said two ninth parts thereof, dated the sixteenth day of December in the year of our Lord one thousand seven hundred and eighty four, & shall further covenant to indemnify the Commonwealth against those Covenants within two Months from this time —

And further *resolved* that the Attorney General be and he hereby is directed to withdraw the action now depending against him the said Samuel Laurence in the name and behalf of the Commonwealth, for the profits of said Lands, and prosecute the same no farther, upon said Samuel Laurences paying the Costs arisen or that may arise in said suit previous to said Samuel Laurences shewing this Resolve to the said Attorney General.

*March 21, 1793.\**

### Chapter 128.

RESOLVE GRANTING £.7 10 TO NATHANIEL THWING.

On the Memorial of Nathl. Thwing, stating that he discharged the duties of Clerk to the Committee on the Valuation & requesting allowance therefor.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to Nathl. Thwing Esqr. Seven Pounds ten shillings in full for his Services as Clerk to the Committee on Valuation for the Period of Ninety days in addition to his Pay as a member of sd. Committee.

*March 22, 1793.*

### Chapter 129.

RESOLVE ALTERING THE TIME FOR HOLDING COURTS IN THE COUNTY OF WORCESTER.

*Resolved* that the Court of General Sessions of the peace and Court of Common pleas which were by law to have been holden at Worcester within and for the County of Worcester on the tuesday next preceding the

\* Approved March 22, 1793.

last tuesday of March instant shall be holden at said Worcester in and for said County of Worcester on the last tuesday of March instant: And that all writs Executions, Warrants recognisanc[*e*]s & other processes that were returnable to and all Causes Actions matters and things depending in, said Courts at the said time when they were to have been holden as aforesd. shall be returned to and have day in & be acted upon in said Courts at the time by this resolve appointed for holding the same, in the same manner as they might have been returned to had day in and been acted upon therein at the time they were to have been holden as aforesd. And all Jurors, parties & Witnesses and others who were by law obliged to attend said Courts at the said time when they were to have been holden as aforesaid shall be holden to attend the same Courts respectively at the time appointed by this resolve for holding the same any law to the Contrary notwithstanding.

*March 25, 1793.*

### Chapter 130.

#### RESOLVE ON THE PETITION OF CALEB LORD.

On the Petition of Caleb Lord Attorney to Roger Lord. *Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of [of] pay due to the said Roger Lord for his Services as a private Soldier in Colo. Smiths Regiment and the Treasurer on receiving a Warrant therefor is directed to Issue his note or notes to the said Roger Lord in the same way as has been Practiced in paying other Soldiers.

*March 25, 1793.*

### Chapter 131.

#### RESOLVE ON THE PETITION OF JAMES PARMENTER, GRANTING HIM £.18.

On the Petition of James Parmenter a late Soldier of ye Massachusetts 7th Regt. praying for one years wages from Jany. 1780, to Jany. 1781, while he was a Captive among the Indians.

*Resolv'd* that there be allow'd and paid out of the Treasury of this Commonwealth to the aforesaid James Parmenter the Sum of Eighteen Pounds in full for his wages aforesaid, and that the Sum so paid be Charg'd to the United States.

*March 25, 1793.*

**Chapter 132.**

RESOLVE MAKING ESTABLISHMENT FOR THE GARRISON AT THE CASTLE.

On the petition of the Non-commissioned Officers & Matrosses on Castle Island.

*Resolv'd* that there be paid out of the publick Treasury of this Common Wealth to each of the noncommission Officers and Matrosses on Castle Island, from and after the 21st day of December last the following Sums *per* Month in the same manner as they have heretofore been paid, *viz.*

To each quarter Gunner Two pounds six shilling.

To each Sergeant Two pounds two shilling.

To each Corporal One pound fourteen shilling.

To each Drumr. & Fifer one pound fourteen shilling.

To each Matross One pound ten shillings.

*March 25, 1793.*

**Chapter 133.**

RESOLVE ON THE PETITION OF NATHAN WOODMAN, GRANTING HIM £.30.

On the Petition of Nathan Woodman a Seaman formerly of the Ship Protector, praying for Twenty months wages while he was a Prisoner in England, which was not provided for by the payroll of said Ship.

*Resolv'd* That, there be allow'd and paid out of the Treasury of this Commonwealth to the said Nathan Woodman the Sum of Thirty Pounds, as full Payment for his Wages aforesaid.

*March 25, 1793.*

**Chapter 134.**

RESOLVE ON THE PETITION OF JEFFREY RICHARDSON.

On the petition of Jeffrey Richardson praying that this Court would empower some person or persons to make Sale of a peice of land situate in Boston on the west side of Fort Hill late the property of Eliakim Hutchinson of Roxbury & now the property of this Commonwealth.

*Resolved*, That Thomas Davis Esqr. be and hereby is empowered to make sale of the land aforesaid, all the land lying between the Lots on which the Rope Walks of said Thos. Davis & Samuel Eumons now stand bounded South-

eastirly by Cow Lane & extending Northwesterly towards Milk Street equal in Length with the Lot of the said Thos. Davis and to make and execute a good and sufficient deed thereof to the said Jeffrey Richardson for the consideration of four hundred pounds; *Provided* that a passage way Ten feet in width shall be left open between any building which said Richardson may erect on the premises and a Lot owned by Samuel Emmons on the north side of the land aforesaid, and a passage of two feet in width shall be left open between any building which the said Richardson may erect on said land & the Lot on the south side thereof owned by Thomas Davis Esq. the said Emmons and Davis to allow and pay to the said Richardson for one moiety of their respective passage ways as aforesd. in proportion to the whole price of said Lot so to be sold to sd. Richardson. And *provided* also that the said way between the said Richardson and Emmons shall be kept open forever for the passing of the Inhabitants of the Town of Boston, they paying said Richardson and Emmons a reasonable consideration therefor.

March 25, 1793.

### Chapter 135.

RESOLVE ON THE PETITION OF ISAAC STONE AND OTHERS.

On the Petition of Isaac Stone & others praying for allowance & payment for their travil & attendance as Witnesses at the trial of the Insurgents at Worcester Court, in the year 1787.

*Resolved*, for reasons set forth in sd. Petition that there be allowed & paid out of the Treasury of this Commonwealth to the several persons hereafter named, the several sums set to their respective names, *viz.*, —

- To Isaac Stone fifteen shillings & eight pence.
- To Jesse Allin fifteen shillings & eight pence.
- To Willm. Crawford fourteen shillings & eight pence.
- To Spencer Field fifteen shillings & eight pence.
- To Rufus Parmeter fifteen shillings & eight pence.
- To Thos. Boyle fifteen shillings & eight pence.
- To Geo. Richardson fifteen shillings & eight pence.
- To Reubin McFarland fifteen shillings & eight pence.
- To Zadock Foster fifteen shillings & eight pence.
- To James Conant fifteen shillings & eight pence.
- To Jona. Cutting eleven shillings.

To Moses Caldwell fifteen shillings & eight pence.

To Willm. Green fifteen shillings & eight pence.

Which sums shall be in full for their pay respectively for their Travil & attendance as aforesd.

*March 25, 1793.*

### Chapter 136.

RESOLVE ON THE REPRESENTATION OF THOMAS RUSSELL AND JUDITH COOPER.

On the Representation of Thomas Russell & Judith Cooper respecting a demand Existing against the Estate of the Revd. Samuel Cooper in favour of this Commonwealth for three hundred fifty nine pounds fourteen shillgs & ten pence payable in public Securities at their nominal Value.

*Resolv'd*, that the Treasurer of this Commonwealth be, & he hereby is, directed to receive from the Executors of ye sd. Saml. Cooper, One Hundred & Thirty Seven Pounds, Sixteen Shillings & 8d. as full Satisfaction for the aforesaid demand of Three Hundred & fifty nine Pounds fourteen shillings & ten pence & Interest thereon, & that on the payment of ye said Sum of One Hundred & thirty Seven Pounds sixteen shillings & eight pence the Treasurer shall give a sufficient discharge to the Executors aforesaid for the said demand.

*March 25, 1793.*

### Chapter 137.

RESOLVE ON THE PETITION OF HUGH ORR, ESQ. IN BEHALF OF THE TOWN OF BRIDGWATER.

On the Petition of Hugh Orr Esqr. praying that the Treasurer of this Commonwealth may be directed to receive of him the Sum of Forty one Pounds two shillings in state Securities and receipt to him therefor in behalf of the Town of Bridgwater for the Sum aforesaid for reasons set forth in said Petition.

*Resolved* that the Treasurer of this Commonwealth be and hereby is directed to receive of the said Hugh Orr the Sum of Forty one Pounds two shillings in the Consolidated Notes of this Commonwealth in payment of a like Sum due from the Town of Bridgwater on Account of a Deficient Collector of the New Emission Tax and that the Treasurer receipt to the said Hugh Orr accordingly in full discharge of said Sum due as aforesaid from the Town of Bridgwater.

*March 25, 1793.*



**Chapter 138.**

## RESOLVE ON THE PETITION OF JONATHAN HOAR.

On the petition of Jonathan Hoar a Soldier in Colo. Bradfords Regt., in the late Continental Army Setting forth that his wages were drawn by a Forged Order and praying Compensation therefor.

*Resolved* that the prayer thereof be Granted and the Treasurer is hereby directed to Issue his note or notes to the said Jonathan Hoar a Soldier in Colo. Bradford's Regt., in the same way and manner as has been practiced in paying other Soldiers for Simelar Services — his wages having been Drawn by a Forged order notwithstanding.

*March 25, 1793.*

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**Chapter 139.**

## RESOLVE ON THE PETITION OF EPHRAIM CHURCH.

On the petition of Ephraim Church a Soldier in the sixth Massachusetts Regt. Commanded by Colo. Nixon Setting forth that his wages have been drawn by a Forged Order and praying Compensation therefor.

*Resolved* that the prayer thereof be Granted and the Treasr. is hereby directed to Issue his note or notes to the said Ephraim Church a Soldier in Colo. Nixon's Regt. for the wages that were due to him and drawn by a forged order in the same way and Manner as has been practiced in paying other Soldiers for Simelar Services — his wages having been drawn by a forged Order notwithstanding.

*March 25, 1793.*

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**Chapter 140.**

## RESOLVE ON THE PETITION OF EPHRAIM LAWRENCE.

On the petition of Ephraim Lawrence praying Compensation for his services in manufacturing Gun Powder for this Commonwealth during the late contest with Great Britton.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to Ephraim Lawrence Ninety pounds fifteen shillings, and also to deliver to said Ephraim Lawrence a Certain Bond now in the Treasurer's office bearing date ye 5th July 1777 — signed by Ephraim Law-

rence, Nehemiah Hobart and Asa Lawrence, Conditioned, that the said Ephraim Lawrence deliver to the Comisary Genl., or at any other place where the Genl. Court should order, the proceeds of Two tons of Saltpeter (which the state agreed to supply him with) when the same should be manufactured into Gun Powder, the above sum of Ninety Pounds fifteen shillings, together with the said Bond, to be a full compensation for his said services.

*March 25, 1793.*

### Chapter 141.

RESOLVE ON THE PETITION OF WILLIAM FARNSWORTH.

On the petition of William Farnsworth a Soldier in Colo. Greaton's Regt. in the late Continental Army Setting forth that his wages have been drawn by a forged Order and praying Compensation for the same.

*Resolved* that the prayer thereof be Granted and the Treasurer is hereby directed to Issue his note or notes to the said William Farnsworth a Soldier in Colo. Greaton's Regt. for the wages which were due to him & which have been drawn by a forged order, in the same way and manner as has been practiced in paying other Soldiers for Simelar Services his wages having been Drawn by a Forged Order notwithstanding.

*March 25, 1793.*

### Chapter 142.

RESOLVE CONTINUING WILLIAM VANS, ESQ. A COLLECTOR OF EXCISE FOR THE COUNTY OF ESSEX.

*Resolved*, that for the purpose of collecting the excise in the County of Essex, the said County shall from the passing this Resolve be one District.

And be it further *Resolved*, that William Vans Esqr. be, and he hereby is appointed, Collector of Excise for said County, to continue in office until the further order of the General Court — and the said William Vans, or his Successor in said Office, is hereby empowered and directed, to demand and receive of the late Collector of Excise, for the North District in the County of Essex, all official Bonds, Books & papers, and to give receipts for the same; and the said Vans, is hereby empowered to collect the Excise now due, or that may hereafter become due from any inhabitant of said County, in as full & ample a man-

ner, as if he had been appointed Collector of Excise for said County, in the way and manner provided by an Act passed March 3rd, A D 1790 — and it is further *resolved*, that the Excise Officers in the several Counties, who are already appointed, or that may be hereafter appointed, and qualified according to Law, be and they hereby are empowered to issue their Warrant or Warrants, for collecting the Excise Duty on Carriages, within thier respective Counties, and which became due while their Predecessors were in Office, and now remain uncollected — and the Constable or Constables to whom the said Warrant or Warrants may be directed & delivered, shall have the same power, in all respects, to collect such Excise Duty, as a Constable or Constables would have had, by a proper and legal Warrant from the Excise Officer, to whom the said Duty on Carriages was originally payable.

And it is further *Resolved*, that the several Excise Officers, already appointed, or that may hereafter be appointed Be, and hereby are required, to give Bond to the Treasurer of the Commonwealth, payable to him or his Successor in office, with sufficient sureties to the acceptance of the said Treasurer in a sum not more than five hundred Pounds, nor less than one hundred Pounds at the discretion of the said Treasurer; conditioned for the faithful performance of the Duties of thier office, agreeable to Law. And if the Collector of Excise, for either of the Counties of Suffolk Essex or Middlesex, that have not already given Bond, shall after the first Day of May next, proceed to make Collections as Collectors of Excise, without giving bond as aforesaid, the Collector so offending, shall forfeit & pay the sum of three hundred pounds, to be recovered by the Attorney General on complaint of the Treasurer for the use of the Commonwealth, by action of Debt or information — and the Collectors of Excise, in either of the other Counties, that have not already given Bond, that shall proceed to make collections as Excise Officers, after the first Day of July next, without giving bond as aforesaid, shall forfeit & pay the sum of two hundred pounds, to be recovered in the manner & for the purpose before mentioned.

And it is further *Resolved*, that the Secretary be, and he hereby is directed, to transmit a Copy of this Resolve, to each Collector of Excise in this Commonwealth.

*March 25, 1793.*

**Chapter 143.**

RESOLVE ON THE PETITION OF TIMOTHY CHILDS, GRANTING  
HIM £.12 18 10½.

On the Petition of Timothy Childs Agent on the Estate of Elisha Jones of Pittsfield in the County of Berkshire an Absentee, praying for a reimbursement of money paid by said Childs into the Treasury of the Commonwealth for rents received on said Estate, the same being afterwards insolvent.

*Resolved* that there be allowed & paid out of the public Treasury to the said Timothy Childs Agent as aforesaid the sum of Twelve Pounds Eighteen Shillings & ten pence  $\frac{1}{2}$  in full, for Five hundred & twenty five pounds Eight shillings old Emission & also Twenty two pounds ten shillings New Emission which sums were paid into the Public Treasury by said Childs as Agent as aforesaid, on condition of his delivering to the Treasurer two receipts in his possession for the two sums last mentioned said Childs to be accountable to the Creditors of the Estate of said Jones in manner as the law directs.

*March 25, 1793.*

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**Chapter 144.**

RESOLVE ON THE PETITION OF MATTHEW TALLCUT.

On the petition of Matthew Tallcut administrator within the state of Connecticut on the estate of Elliot Rawson late of Middleton in said state deceased.

*Resolved* for reasons set forth in said petition, that said Matthew Tallcut, he and he hereby is authorised to sell at publick vendue the lands of which said Elliot Rawson died seized that are within the towns of Milton and Quiney in this Commonwealth and in his said capacity to make and execute good and sufficient deeds of the same to the purchasers giving notice and taking the oath as prescribed by the laws of this Commonwealth for the sale of real estates by executors and administrators.

*March 26, 1793.*

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**Chapter 145.**

RESOLVE ON THE PETITION OF JOHN WALLIS.

On the petition of John Wallis a seaman employed on board the schooner Lion by the Committee for procuring

warlike stores in the year 1776, praying for two & an half months wages due to him for said service.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to the said John Wallis the sum of seven pounds & ten shillings in full for his service aforesaid.

March 26, 1793.

### Chapter 146.

RESOLVE APPOINTING A COMMITTEE TO THE COUNTY OF HAMPSHIRE.

On the Petition of David Smead & others praying for a division of the County of Hampshire or such other relief as may be found necessary.

*Resolved* That Thomson J. Skinner, Ebenezer Pierce and Nathaniel Bishop Esquires be a Committee to repair to the County of Hampshire (at the expence of the Petitioners or of the sd. County as the Committee shall think proper) to view said County so far as said Committee may think proper, & hear the Inhabitants of said County, by their Agents respecting the greivances suggested in said Petition, said Committee are hereby directed to publish the time and place of their meeting, for the purpose aforesaid in the North Hampton, Springfield and Greenfield News papers, Three weeks prior to their convening and to Report their Oppinion, what relief if any is necessary to the next General Court.

March 26, 1793.

### Chapter 147.

RESOLVE GRANTING £.120 PER ANNUM, TO JACOB KUHN, MESSENGER TO THE GENERAL COURT.

On the Petition of Jacob Kuhn, Messenger to the General Court, representing that the Pay allowed him and established by a Resolve of the Legislature, which passed March 7, 1789, is insufficient for his support, & praying that an adequate allowance may be made him.

*Resolved* that from and after the thirtieth day of May last, there be allowed and paid out of the Treasury of this Commonwealth to the Messenger of the General Court, one hundred & twenty pounds annually.

March 26, 1793.



## Chapter 148.

RESOLVE EMPOWERING GEORGE PARTRIDGE, SAMUEL SMITH AND NATHANIEL HAMMOND, ESQ. TO PERAMBULATE AND SETTLE THE TRUE BOUNDARY LINE BETWEEN THE LANDS OF THE MARSHPEE TRIBE OF INDIANS AND THE PROPRIETORS AND TOWN MENTIONED.

Whereas the Honorable Walter Spooner Esq. one of the Overseers of the Marshpee and Herring pond Tribes of Indians and Joseph Nye Esq. one of the Guardians of said Indians have by their Memorial represented to this Court that they are unable to preserve the property of said Indians, for want of proper and certain boundaries being kept up between the lands belonging to said Tribes and the several Towns and Individuals adjoining the same, and they on behalf of said Indians and Josiah Samson, Josiah Fuller, Ebenezer Crocker, Nye Jones, Matthew Meiggs, William Fuller and Cornelius Samson being a major part of the proprietors of lands adjoining said Indian lands and the Selectmen of the Town of Barnstable in behalf of said Town have mutually requested this Court to appoint a Committee to perambulate and settle the boundary lines between the parties :

*Resolved*, that the Honorable George Partridge Esquire of Duxbury in the County of Plymouth, Samuel Smith of Dartmouth — in the County of Bristol and Nathaniel Hammond of Rochester in said County of Plymouth be and hereby are appointed authorized and empowered to perambulate and settle the true boundary lines between the lands of the said Marshpee tribe of Indians and the proprietors and Town aforesaid, and also to run and settle the line between the lands of the said Herring pond Tribe and the proprietors of land adjoining thereto, or such of said proprietors as shall concur with said Committee in running and settling said line. The doings of the said Committee certified under their hands to this Court and accepted & recorded in the Office of the Register of deeds of the County where such lands lay to be definitive and conclusive between the parties.

*March 26, 1793.*

## Chapter 149.

RESOLVE ON THE PETITION OF STEPHEN BADGER AND OTHERS.

On the petition of Stephen Badger & others.

Whereas Stephen Badger and others devisees under the Will of James Griffen deceased, have petitioned the Legislature, for leave to sell the real Estate of the said testator; and whereas for the reasons set forth in said petition, it is thought reasonable that permission should be given to sell, the real Estate whereof the said James Griffen died seized, and that the Executor to the Will of said testator should be discharged from his trust upon a Settlement of his accounts with the parties interested in said Estate :

*Resolved*, that the said Stephen Badger and Sarah his wife in her right, and the surviving heirs of Mary Laughton late of Boston deceased, be and they are authorised & empowered to sell and dispose of all or every part of the real Estate of James Griffen late of Boston deceased, and to give good & sufficient deeds thereof in fee simple to any person or persons who may purchase the same either at public or private sale, and that the monies arising from such sale shall be applied in such way and manner, and divided in such proportions among the several claimants as they shall mutually agree upon, by covenants under their hands & seals to be executed by them or their Attornies prior to such sale.

And be it further *resolved* by the authority aforesaid, that Bossenger Foster Esquire sole surviving Executor of the Estate of the said James Griffen, be and he hereby is fully and compleatly discharged from the trust reposed in him in said will so far as it respects the real Estate of said testator.

*March 26, 1793.*

## Chapter 150.

RESOLVE GRANTING £.110 TO CHARLES CUSHING, ESQ.

On the petition of Charles Cushing Esqr. one of the Clerks of the Supreme Judicial Court praying for allowance for services performed in said office.

*Resolved* that there be allowed and paid out of the treasury of this Commonwealth unto the said Charles Cushing the sum of one Hundred & Ten Pounds, which

with the fees of office by him received shall be in full for all services performed in said capacity before the passing of this Resolve.

*March 26, 1793.*

### Chapter 151.

RESOLVE ON THE PETITION OF SAMUEL COOPER, ESQ. GRANTING HIM £.21.

On the Petition of Saml. Cooper Esqr. one of the Managers of the State Lottery.

*Resolved* that there be allowed and paid out of the Public Treasury to Saml. Cooper Esqr. Twenty one pounds, he depositing in the said Treasury the obligation of Cornelius Seabury, by which it appears that there is that sum unaccounted for to the Commonwealth by said Seabury, & his Excell'y the Governor with the advice of Council is hereby requested to draw his Warrant on the Treasury for the payment of the said sum.

*March 26, 1793.*

### Chapter 152.

RESOLVE ON THE PETITION OF STEPHEN IVES.

On the petition of Amasa and Stephen Ives. *Resolved* for reasons set forth in said petition that the prayer thereof, be so far granted that the Treasurer of this Commonwealth be and he hereby is authorised and directed to receive of said Amasa and Stephen Ives the sum of eighty three pounds six shillings and eight pence in gold and silver in full for the sum of two hundred and forty five pounds in army notes due from Oliver Parker as a deficient collector of Number four tax for the town of Adams.

*March 26, 1793.*

### Chapter 153.

RESOLVE ON THE PETITION OF ISRAEL HUTCHINSON.

On the petition of Israel Hutchinson. Whereas it appears that Israel Hutchinson of Danvers in the County of Essex, did engage and serve in the Wars of 1757, 1758 and 1759 in behalf of the late Province of Massachusetts under the British King against the Common Enemy, and in the year 1759 was honoured with a Captains Commission and raised a Company and served under

the late British General Wolfe at the reduction of Quebeck and on the seventh day of October 1763, the aforesaid British King issued a Proclamation and therein made provision for such Officers & Soldiers as were engaged in his service at the Reduction of Louisbourg and Quebeck Giving direction to the several Governours of his Provinces to grant such tracts of Lands as were promised in the said Proclamation — And on application being made by said Israel to General Thomas Gage when Governour of the said Province He the said General did proceed so far as to promise that he the said Israel should receive the said lands agreeably to the said Proclamation — But the war commencing between Great Britn. and the Colonies at that time prevented the said Israel from receiving the said lands :

Therefore it is *Resolved* that the Comtte. for the sale of Eastern Lands be, and they are hereby authorised & directed, to set off to the said Israel Hutchinson at his expense, One Thousand Acres of unappropriated Lands in some part of the district of Main as a compensation for the many services of the said Israel whose particular Circumstances make such a grant expedient.

*March 26, 1793.*

### Chapter 154.

RESOLVE GRANTING £.110 TO JOHN TUCKER, ESQ.

On the Petition of John Tucker Esq. one of the Clerks of the Supreme judicial Court praying for an Allowance for Services performed in said Office.

*Resolved* that there be allowed and paid out of the Treasury of this Commonwealth unto the said John Tucker the Sum of One Hundred & Ten Pounds which with the Fees of Office by him receiv'd shall be in full for all Services performed in said Office before the passing of this Resolve.

*March 26, 1793.*

### Chapter 155.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF ESSEX, AND GRANTING A TAX.

Whereas the Treasurer of the County of Essex, has laid his accounts before the General Court, in manner by Law prescribed, which accounts are hereby Allowed; And

Whereas the Clerk of the Court of ye General Sessions of the Peace for the said County, has laid before the General Court, an Estimate made by the said Court of General Sessions of ye Peace, of the necessary Charges, likely to arise within the said County, the current year, amounting to six hundred Pounds :

*Resolved*, That the said Sum of Six Hundred Pounds be, and is hereby Granted, as a Tax for said County of Essex, to be apportioned, assessed, collected and applied in manner agreeably to Law. *March 27, 1793.*

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### Chapter 156.

RESOLVE ON THE PETITION OF FRANCES SHIRLEY WESTERN.

On the petition of Frances Shirley Western Executrix of the last Will and Testament of William Bollan, Esqr. deceased praying that the arrears of Interest due from the Commonwealth to said Bollan, may be paid her.

*Resolved* for reasons set forth in said petition that there be allowed and paid out of the Treasury of this Commonwealth to Frances Shirley Western, in her aforesaid Capacity the arrears of Interest that may be found due to the Estate of Wm. Bollan, Esqr. agreeably to a Resolve of the General Court of the 14th of June 1785 ; And his Excellency the Govenour, with advice of Council is requested to Issue his warrant on the Treasure[r] for the Same. *March 27, 1793.*

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### Chapter 157.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BUXTON.

On the petition of the Select Men of the Town of Buxton by their agent ; Shewing that a Committee was appointed by the General Court in the year 1762 to settle the bounds of the Towns of Gorham Buxton Standish & Others — That said Committee in pursuance of their Commission established the Corner bounds (which divides the said Towns of Buxton Standish & Gorham) but never Run the line between the said Towns from the Monuments they established as aforesaid, which line Divides the Counties of York & Cumberland, Whereby great inconveniences Arise to the Inhabitants of the said Town of Buxton.

*Resolved* that Jedediah Prescott Jun., Dummer Sewall, & John Merrill Esquires, be a Committee to Run, and



Settle the line between the said Towns of Gorham & Buxton, and between the Towns of Buxton & Standish, agreeable to the Report of a former Committee of the General Court who fixed the corner bounds of the [the] said Towns in the year 1762 which Report was Confirmd. by the said General Court — That said Committee are to begin at a Certain Hemlock Tree at the Southwest Corner of the Town of Gorham then Run between the said Towns of Gorham & Buxton to a fir Tree at the Northwest Corner of sd. Gorham, Thence Between said Buxton & the Town of Standish to a Beech Tree at the north Corner of sd. Town of Buxton, which line divides the Counties of York & Cumberland — That said Committee shall give ten days notice to the Selectmen of the said Towns of Gorham, Buxton & Standish, previous to the time they appoint to Run the said lines, that they may appear if they see cause and be heard before said Committee.

And said Committee are hereby directed to make a Return of their doings herein to the General Court as soon as may be — and the expence of the said Committee to be paid by the Town of Buxton — which Lines when Settled Shall forever hereafter be Considered as the dividing Lines of Said Towns.

*Provided* the lines to be now run by the Committee shall not affect any actions at Law already commenced.

*March 27, 1793.*

### Chapter 158.

RESOLVE ON THE PETITION OF WILLIAM FESSENDEN AND OTHERS.

On the Petition of William Fessenden & others Trustees of Fryeburgh-academy.

*Resolved* That there be and there hereby is granted to the said Trustees for the use of said academy, in addition to the lands with which the same has been heretofore endowed, three thousand acres of Land, to be laid out within the County of York under the direction of the Committee for the Sale of eastern Lands and in such place as the said Committee shall direct.

*March 27, 1793.*

### Chapter 159.

RESOLVE ON THE PETITION OF PETER TWITCHELL.

On the Petition of Peter Twitchell of Sherburn Administrator on the Estate of Joseph Twitchell Deceased. late

Guardean to the Natick Indians Praying that some Person or Persons may be Appointed to Settle the Accounts (with him) of the Said Joseph Twitchell.

*Resolved* That Jonathan Maynard Esqr. be and he herby is Authorized and Appointed Guardian to the Said Natick Indians and that he Govern himself agreeable to the Law in that case made and Provided.

And be it further *Resolved* that the sd. Jonathan Maynard be and he herby is Authorized and empowered to Receive all the Property that may be found in the hands of the said Peter Twitchell belonging to the Said Natick Indians and to settle all Accounts and to Receive all Books and Accounts of what Name or Nature soever as left by him the said Joseph Twitchell Guardean and now in the Hands of him the Said Peter Twitchell his Administrator and that he Account for the Same to the Legislature of this Commonwealth as soon as may be.

*March 27, 1793.*

### Chapter 160.

RESOLVE GRANTING TO JOSIAH NOTTAGE £.100.

On the petition of Josiah Nottage. *Resolved*, for reasons set forth in said petition that there be allowed and paid out of the Treasury of this Commonwealth to the said Josiah Nottage the sum of One hundred pounds in addition to the sum already received by him of the Quarter Master General and in full for his Labour & expences in building & completing a Wharf at Rainsford Island according to his Account accompanying his said petition, and for a Yawl and appurtenances lost by him while engaged in said Business.

*March 27, 1793.*

### Chapter 161.

RESOLVE GRANTING £.64 10, TO MOSES HAMILTON AND OTHERS.

*Resolved*, That there be allowed & paid out of the Treasury of this Commonwealth to the said Moses Hamilton agent of New Braintree sixty four pounds ten shillings in full for his (& the other agents for said town's) time and expence in consequence of an order calling on the several Towns in this Commonwealth to make proposals for supporting the Poor of this Commonwealth.

*March 27, 1793.*

## Chapter 162.

RESOLVE GRANTING PAY TO THE REV. CHAPLAIN AND THE CLERKS.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to the Revd. Peter Thacher Chaplain of the two houses of the General Court fifteen Pounds, and to Samuel Cooper Esq. Clerk of the Senate Seventy Five Pounds, & to Henry Warren Esq. Clerk of the House of Representatives Seventy Five Pounds in full for their services respectively, for the present year and that the Treasurer be & he hereby is directed on receiving warrant therefor to pay the same, out of the same funds, & in the same manner, as the members of the General Court are paid for their services the present session.

*March 27, 1793.*

## Chapter 163.

RESOLVE ESTABLISHING THE PAY OF THE COMMITTEE ON ACCOUNTS.

*Resolved* that there be allowed and paid out of the publick Treasury of this commonwealth in the same manner the members of the Genl. court are paid for their travel and attendance the present Session, to the committy appointed to Examine and pass on Accounts, for their service on said committe the folowing Sums in addition to their pay as members of the Legislature (*viz.*) To the Honble. Joseph Hosmer Esqr. for forty five days attendance the sum of three pounds fifteen shillings To the Honble. Stephen Metcalf Esqr. for forty five days attendance the sum of three pounds fifteen shillings To Benjamin Read Esqr. for forty five days attendance the sum of three pounds fifteen shillings To Enoch Titcomb Jr. Esqr. for Thirty one days attendance the sum of two pounds eleven shillings & eight pence & to Samuel Ward Esqr. for Thirty six days attendanc[e] the sum of three pounds — which sums shall be in full for their service aforesaid.

*March 27, 1793.*

**Chapter 164.**

RESOLVE AUTHORIZING THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE WITH THE ASSENT OF THE BOARD OF OVERSEERS, TO SELL OR EXCHANGE ANY LANDS BELONGING TO THE SOCIETY, AND TO CONVEY THE SAME IN FEE SIMPLE, WHERE, &c.

Whereas there is a doubt whether the corporation of Ha[r]vard college have a right to sell or exchange any Lands which they own, although it is frequently for the benefit of the Society that such sale or exchange should be made :

*Resolved*, That the President and Fellows of Harvard College, with the assent of the board of Overseers, have power and authority to sell and exchange any lands belonging to the Said society, and convey the Same in fee Simple, where, by the Gift or Grant of the Same lands to them, they are not restrained by the donor or Grantor.

*March 27, 1793.*

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**Chapter 165.**

RESOLVE ON THE PETITION OF JONATHAN STICKNEY.

On the petition of Jon. Stickney of Billerica in the County of Middlesex, setting forth that an execution is issued against him in favor of the Commonwealth for the sum of one hundred & fifty pounds, as a Bondsman for Lemuel Blanchard who has absconded.

*Resolved* That for reasons set forth in the said petition, the Sheriff of the County of Middlesex, be & he hereby is directed to discharge said execution, Provided the said Stickney shall pay for the use of the Commonwealth fifty pounds in six months from the passing this Resolve & all legal Costs that have arisen on the Action.

*March 27, 1793.*

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**Chapter 166.**

RESOLVE DIRECTING THE TREASURER TO DELIVER UP TWO BONDS IN HIS POSSESSION.

*Resolved* that the Treasurer of the Commonwealth be & he is hereby directed to deliver up & discharge two bonds in his possession signed by Robert Morris & Samuel Ogden both dated May eleventh one thousand seven

hundred & ninety one and bearing interest from the eleventh day of November one thousand seven hundred & ninety one, one of said bonds for the sum of fifteen thousand pounds payable May eleventh one thousand seven hundred & ninety four, the other for the sum of fifteen thousand pounds payable May the eleventh one thousand seven hundred & ninety five.

*Provided* that the said Robert Morris his Agent or Attorney shall deliver to the said Treasurer two other bonds duly executed by the said Morris, with interest till paid, one conditioned to pay the Treasurer of the Commonwealth or his Successor in Office for the use of the said Commonwealth fifteen thousand pounds on or before the eleventh day of May one thousand seven hundred & ninety four, the other conditioned for the payment, as aforesaid, of fifteen thousand pounds on or before the eleventh day of May one thousand seven hundred & ninety five, and shall also pay to the said Treasurer the interest due on the bonds that shall be discharged to the time of the discharge, & shall also transfer to the said Treasurer or his Successor in Office for the use of the Commonwealth thirty eight thousand pounds of the funded debt of the United States bearing present interest of six per cent annually as collateral security for the payment of the said two bonds to be given as aforesaid & when the interest received by the Treasurer on the said funded debt shall exceed one year's interest on the bonds which shall be given, it shall be the duty of the Treasurer to make out under his hand a certificate of such surplus to his Excellency the Governour who is thereupon requested with advice of Council to grant his warrant on the Treasury of the Commonwealth in favor of said Morris for the amount of such surplus.

And it is further *Resolved* that the Treasurer of the Commonwealth for the time being be & he is hereby directed to make sale of the said funded debt or a sufficient sum thereof, for the payment of the said two bonds or either of them that may remain due at the periods of payment therein specified — And the said Treasurer is hereby further empowered & directed, whenever the said two bonds to be given as aforesaid shall be discharged, to transfer to the said Robert Morris his executors, administrators or assigns the aforesaid sum of Thirty eight thousand pounds of the funded debt aforesaid or such part



thereof as shall remain if either or both the said bonds shall have been discharged by the net proceeds of the sale of any part of the said funded debt as above directed.

*March 26, 1793.\**

### Chapter 167.

RESOLVE ON THE PETITION OF BENJAMIN LINCOLN AND CHRISTOPHER GORE, ESQUIRES, TRUSTEES OF DERBY SCHOOL IN HINGHAM.

On the Petition of Benjamin Lincoln Esqr. and Christopher Gore Esqr. two of the Trustees of the Derby School in Hingham and it appearing that the Estate hereinafter mentioned is not returned for the Valuation of that Town.

*Resolved*, that all and singular the lands, buildings and personal Estate within the said Town of Hingham the Income whereof is by a certain Deed, and by the last Will of the late Mrs. Sarah Derby, appropriated to the Use and Support of said Derby-School, are and shall remain during such appropriation, wholly discharged of all Public Taxes; and the Assessors of the said Town shall govern themselves accordingly. *March 28, 1793.*

### Chapter 168.

RESOLVE DIRECTING THE SECRETARY TO DELIVER THE RECORDING SECRETARY OF THE HISTORICAL SOCIETY A SET OF THE JOURNALS, ACTS AND RESOLVES OF CONGRESS AND OF THE GENERAL COURT OF THIS COMMONWEALTH.

*Resolved* that the Secretary of this Commonwealth be, and he hereby is directed to deliver to the Recording Secretary of the Massachusetts Historical Society, one sett of the Journals of Congress, also One set of the Journals & Resolves of the Legislature prior to, & since the Revolution as far as he is able, reserving in his Office a Compleat set.

*Resolved* that the Secretary for the time being is further directed to deliver to said Recording Secretary of the Massachusetts Historical Society, One compleat set of all the Laws, Resolves, Journals, Tax Acts, Proclamations and other doings of Gover[n]ment which shall hereafter be printed by their direction — The same to be deposited

\* Approved March 27, 1793.

in the Library of said Society — *provided* that the Legislature shall at any time have the use of, or recal any or either of the Books or papers aforesaid whenever they may think proper.

*March 28, 1793.*

### Chapter 169.

RESOLVE RECTIFYING A MISTAKE IN A RESOLVE PASSED 11<sup>TH</sup> FEBRUARY LAST, AUTHORIZING THOMAS LIBBY, INSTEAD OF TIMOTHY.

Whereas a Resolution, passed this Court on the 11th Day of February last, wherein the Name of Timothy Libby was inserted by mistake, instead of Thomas Libby, Administrator *de bonis non* of Timothy Libby deceased :

*Resolved*, That Thomas Libby, be & he is hereby authorized & invested with all the Power & for all the Purposes mentioned in said Resolve any thing in said Resolve to the contrary notwithstanding.

*March 28, 1793.*

### Chapter 170.

RESOLVE FOR PAYING AN ASSISTANT CLERK TO THE SENATE.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to Thomas Green Assistant Clerk to the Senate, nine shillings per day during the time that he has been employed the present Session, & during the sitting of the Court at Concord, amounting in the whole to the sum of Twenty eight pounds seven shillings.

*March 28, 1793.*

### Chapter 171.

RESOLVE MAKING AN ADDITION TO THE PAY OF THE CLERKS IN THE SECRETARY'S AND TREASURER'S OFFICES.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to each of the Clerks in the Secretary's & Treasurer's Office and the Messenger of the Governor & Council one shilling per day from the thirtieth of January last in addition to the pay already established to continue 'till the next sitting of the General Court.

*March 28, 1793.*

**Chapter 172.**

RESOLVE ON THE PETITION OF THE SELECTMEN OF BIDDEFORD.

On the petition of the Select men of Biddiford by their Agent Joseph Morrell.

*Resolved* that Nathl. Wells, Thomas Cutts & John Low Esquires be and hereby are appointed a Committee to settle and establish the lines between the Towns of Biddeford, Arundell and the Plantation of Little Falls in the County of York and said Committee are hereby directed to notify the Select Men of Said Biddeford, Arundell & two or more of the principal Inhabitants of Little Falls of the time they shall attend said service, in order that said select men and principal Inhabitants may have an Opportunity to be heard before said Committee *Provided* also that all the expences that may arise shall be paid by Said towns & plantation.

*March 28, 1793.*

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**Chapter 173.**

RESOLVE ON THE PETITION OF LURINDA ADAMS.

On the Petition of Lurinda Adams.

Whereas Richard Tidmarch late of the City of Philadelphia deceased intestate and without any legal hier which hath yet appeard and was seized of certain Estate in the Town of Stockbridge within this Commonwealth and whereas said Lurinda was nearly related by affinity to said Richard and by reason of Sickness and indigence is likely soon to want assistance; it being also represented, that it was the wish of the said Richard that the said Lurinda should eventually have said Estate: Therefore

*Resolved* that all the estate of the said Richard Tidmarch which by the Laws of this Commonwealth (after the final settlement of all the legal claims thereon) may be the property thereof be and hereby is granted to the overseers of the poor of the Town of Stockbridge in the County of Berkshire for the time being and shall by them and their Successors in said office from time to time, be expended for necessary and comfortable support of the said Lurinda according to their discretion & for which they shall account to this Commonwealth when required and if any of the said Estate may remain in this maner unexpended at her decease it is hereby granted to the

Heirs of the Body of said Lurinda *provided* however if she shall have no such heirs she shall have power to demise the same any Law to the Contrary notwithstanding.

*March 27, 1793.*

### Chapter 174.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF CHARLEMONT.

On the Petition of the select Men of the Town of Charlemont seting forth that the sum of seventy one pounds thirteen shillings & five pence hath been reassessed on the Inhabitants thereof, in consequence of the failure of Othniel Taylor Collector of Tax No. 5 — and that there yet remains unpaid of sd. Tax — eleven pounds, one shilling & eleven pence, specie, & Fifteen pounds seven shillings & four pence Army Notes, and praying they might be abated the last mentioned sum.

*Resolved* for reasons set forth in said Petition that the prayer thereof be so far granted, that the sum of Fifteen pounds seven shillings & four pence in Army Notes, be and hereby is abated to the said Town being part of the sum set thereon in Tax No. 5 and the Treasurer is hereby directed to govern himself accordingly.

*March 27, 1793.*

### Chapter 175.

RESOLVE DIRECTING THE TREASURER WHEN HE SHALL PUBLISH A DESCRIPTION OF NOTES OBTAINED ON FORGED ORDERS, TO PUBLISH THE NAMES OF THE PERSONS WHO RECEIPTED FOR SAME.

*Resolved* that the Treasurer of this Commonwealth be & he hereby is directed when he causes to be published, agreeable to a Resolve passed March 18th, 1785 a description of the Notes that have been obtained by forged orders — to publish at the same time the name or names of the person or persons who receipted for the notes obtained as aforesaid.

*March 27, 1793.*

### Chapter 176.

RESOLVE DIRECTING THE TREASURER TO KEEP HIS BOOKS BALANCED AT ONE PERIOD EVERY YEAR.

*Resolved* that it shall be & hereby is made the duty of the Treasurer & Receiver General of this Commonwealth to keep his books of all monies taxes & other transactions,

posted up & ballanced at one period at least in every year, in order that the state of the treasury may appear & be clearly understood by the Legislature. *March 27, 1793.*

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### Chapter 177.

RESOLVE DIRECTING THE TREASURER TO PAY THE REMAINING THIRD OF NOTES, &c.

*Resolved* that the Treasurer be & he hereby is directed on the first day of May next to pay out of any monies in the treasury the last third of the notes given pursuant to Resolve passed Feby. 21 1791 & also such warrants, orders, & due-bills as are designated in said resolve — with the interest thereon to the sd. first day of May.

And the Treasurer is further directed to give notice in the public newspapers that payment will be made as aforesaid & that the interest thereon will cease from & after the said first day of May next. And in case there shall not be sufficient money in the treasury for the purposes aforesaid the Treasurer is authorized to borrow on loan from the Union Bank such sum or sums of money as may be wanted therefor & the same repay to the Bank out of the first monies recieved into the treasury.

*March 27, 1793.*

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### Chapter 178.

RESOLVE ON THE PETITION OF SARAH BRADFORD.

On the Petition of Sarah Bradford Widow of John Bradford late of Rehoboth in the County of Bristol deceased & the Creditors to the estate of the said John setting forth that a large house with about four Acres of land thereto adjoining were set off out of said estate to the said Sarah as her dower or third therein that said house is in a ruinous State & untenantable & that the said Sarah is unable to repair the same & therefore praying that the same may be sold.

*Resolved* that the prayer of the said Petition be granted & the Judge of Probate for the County of Bristol be & hereby is empowered to appoint some suitable person to make sale of said house & land at publick Vendue for the most the same will fetch & the person who may be appointed by the said Judge for the sale of the said house & land is hereby impowered to sell the same accordingly



& make and execute to the purchaser a good & sufficient deed thereof.

*Provided* that the person who shall be appointed to sell said house & land pursuant to this Resolve shall previous to the sale thereof give bond with sufficient sureties to the said Judge of Probate in such sum as he shall direct that the Interest of the neat proceeds of the sale shall be annually paid to the said Sarah during her life & that the principal sum arising from the sale of said house & land (all necessary expence, being first deducted therefrom) shall at the decease of the said Sarah be applied to the payment of the Creditors of the said John deed. in proportion to their several & respective claims & shall give such Notice previous to the said sale & observe such other rules as the said Judge shall direct. *March 28, 1793.*

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### Chapter 179.

RESOLVE GRANTING 18s. TO NATHANIEL THWING, AND 10s. TO EDWARD H. ROBINS, ESQR.

*Resolved* that there be allow'd and Paid out of the Treasury of this Commonwealth, to Nathl. Thwing Esq. the sum of Eighteen Shillings, and to Edward H. Robins, Esqr. ten shillings in full of the within accounts.

*March 28, 1793.*

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### Chapter 180.

RESOLVE ON THE PETITION OF JOHN MORGAN.

On the Petition of John Morgan a private Soldier in Colo. Hazens Regt. Praying that he may receive the wages due to him for his Service.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to the said John Morgain for his Service as a private Soldier in Colo. Hazens Regt. and the Treasr. of this Commonwealth on receiving a Warrant is hereby Directed to Issue his note or notes to the said John Morgain in the same way and manner as has been practiced in paying other Soldiers.

*March 28, 1793.*

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### Chapter 181.

RESOLVE ON THE PETITION OF JOHN DANBY.

On the petition of John Danby Administrator on the Estate of John Burton a private Soldier in Colo. Wes-

son's Regt. in the late Continental Army praying that he may receive the wages due to the said John Burton.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to the said John Burton for his Services as a private Soldier in Colo. Wessons Regiment and the Treasr. on Receiving a warrant therefor is hereby directed to Issue his note or notes to the said John Danby Administrator on the Estate of the said John Burton in the Same way and manner as has been Practiced in paying other Soldiers for Simelar Services.

*March 28, 1793.*

### Chapter 182.

RESOLVE ON THE PETITION OF WILLIAM BURT.

On the Petition of William Burt Praying that the Treasr. be directed to pay the wages due to his Brother John Burt deceased.

*Resolved* that John Deming Esqr. Certify to the Governor and Council in favour of the Lawfull Heirs of the said John Burt, the pay or arrears of pay due to the said John Burt for his Service as a private Soldier in Colo. Crane's Regt. of Artillery and The Treasurer on receiving a Warrant therefor is hereby directed to Issue his note or notes to the Heirs of the said John Burt in the same way that has been practiced in Paying Other Soldiers.

*March 28, 1793.*

### Chapter 183.

ORDER DIRECTING THE SECRETARY TO OBTAIN A COPY OF THE CASE AGAINST GEORGIA.

*Ordered* that the Secretary be directed to obtain from the Clerk of the Supreme Judicial Court of the United States, an attested copy of the whole record of the case against the State of Georgia instituted & determined in the Court aforesaid.

*March 28, 1793.*

### Chapter 184.

RESOLVE ON THE PETITION OF JOHN SUMNER.

On the Petition of John Sumner of Spencer in the County of Worcester, Executor of the last will & Testament of John Sumner late of said Spencer Esqr. deceased, praying to be Authorised to make sale of a certain

Tract of land, & to give a deed of the same to one Anthony Sprague, agreeable to the promise of the said deceased made in his life time to the said Anthony.

*Resolved* for reasons set forth in said Petition that the prayer thereof be granted, and that the said John Sumner the Executor aforesaid be, &, he is hereby Authorised & empowered in his said capacity to make & execute to the said Anthony Sprague a deed of sale of about One Acre & a half of land lying in a Triangular form in the Southwest corner of the middle part of Lot No. 74, in said Spencer, begining at the county road & running by Nathaniel Wilsons land Seven Chains & forty links, to the Town road so called, then by sd. Town road & Wright Woodards land Twenty nine rods to the County road, then by said County road to the first bounds, & the said Deed when made & Executed as aforesaid, shall have the same force & validity to all intents & purposes, as if it had been made by the Testator in his life. *March 28, 1793.*

### Chapter 185.

#### RESOLVE ON THE ADDRESS AND APPLICATION OF SEVERAL TRIBES OF INDIANS.

*Resolved* that Stephen Jones Alexander Campbell & George Stillman Esquires be and hereby are appointed a Committee to meet at some convenient place as soon as may be, then and there, to confer with the Passamaquody tribe of Indians on the subject of their late address, & that the sd. Committee be authorized to lay out & assign from the lands belonging to this Commonwealth, two tracts for the use and improvement of the Passamaquody tribe of Indians one tract not exceeding six miles square to be located in a regular form between the Northern and Western Branches of the Schoodic & adjoin'g to the said Northern Branch & one other tract not exceeding one hundred acres on the Sea shore in the County of Washington — *Provided* nevertheless that the lands so to be assigned shall be reserved for the use & improvement of the Indians aforesaid — and that the said Indians either in whole or in part shall not have power to alienate or dispose of the lands which may be so assigned or any part thereof — And all conveyances of the lands aforesaid by any Indian or Indians shall be null & void.

And be it further *Resolved* that said Committee be empowered to enquire into any dispute or complaint now

subsisting between the said Indians & any of the Inhabitants of said County of Washington & make report of their whole proceedings as soon as may be to the General Court.

*March 28, 1793.*

### Chapter 186.

RESOLVE ON THE PETITION OF OLIVER SMITH, ADMINISTRATOR WITH THE WILL ANNEXED, OF ISAAC WINSLOW, ESQ. LATE OF ROXBURY, DECEASED.

On the Petition of Oliver Smith Administrator with the Will annexed of Isaac Winslow Esqr. late of Roxbury deceased.

*Resolved*, that all and singular the obligations and securities, which have been received and taken by Isaac Winslow of Boston Distiller deceased who was executor of the said Will, from the Debtors of the said Isaac Winslow Esqr. and in lieu of diverse obligations and securities part of his Estate, being assigned by the Administratrix of the Estate of the said Isaac Executor, shall be recoverable by the said Oliver Smith Administrator as aforesaid in his own name in that capacity ; and the proceeds thereof which shall be received by him, shall and may be distributed in like form and to the same effect as any other credits or personal Estate of the said Isaac Winslow Esqr. might be recovered received or distributed.

*March 28, 1793.*

### Chapter 187.

RESOLVE FOR PAYING THE EXPENCES OF REMOVING COURT PAPERS, &c. TO CONCORD.

Whereas John Avery Jun. Esqr. Secretary of the commonwealth of Massachusetts, did by a warrant bearing date the nineteenth day of November last past recieve out of the publick Treasury the sum of Thirty pounds to defray the Extra expences of the council chamber Secretarys & Treasurers offices, at the last session of the General Court at Concord, and the committee appointed to Examine and pass on publick accounts, having examined the accounts of the Secretary respecting said Expenditures, find them to amount to the sum of twenty nine pounds two shillings. Therefore

*Resolved* that the Secretary pay into the Treasury of

the common Wealth Eighteen Shillings, and that he be discharged from said sum of Thirty pounds received by virtue of the above said warrant. *March 28, 1793.*

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### Chapter 188.

RESOLVE DIRECTING THE QUARTER MASTER GENERAL TO PROCURE TEN CORDS OF WOOD FOR RAINSFORD ISLAND.

*Resolved* that the quarter Master General be and he hereby is directed to procure, & supply to the keeper of the Hospital on Rainsford Island for the use of said Hospital ten Cords of Wood annually till the further order of the Legislature and to keep the boats there belonging to the Government in good repair, & to lay his accounts therefor, before the Committee of Accounts for their Examination & Allowance.

And it is further *resolved* that Samuel Laha lay before the said Committee his Accounts for wood supplied said Hospital in the past year for their allowance.

*March 28, 1793.*

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### Chapter 189.

RESOLVE FOR CREDITING AMASA DAVIS, ESQ. QUARTER MASTER GENERAL, WITH £.1948 9 5.

The Committee of Both Houses appointed to Examine and Pass upon accounts, Exhibited against this Commonwealth &c. Have Examined the accounts of Amasa Davis Esqr. Quarter Master General for his Time and Expenditures, in his said Office, from ye 17th of March 1791 to the 17th of March 1793 and find the Same to Amount to the Sum of Nineteen hundred, and forty Eight Pounds Nine Shillings and five pence which Sum Deducted from twenty two hundred Pounds, (being the Sum he has Received out of the Treasury of this Commonwealth,) leaves a Ballance in his hands of two hundred and fifty one Pounds Ten Shillings and Seven Pence.

*Resolved* that Amasa Davis Esq. Quarter Master General be Credited the said Sum of Nineteen hundred and forty Eight Pounds nine shillings & five Pence which is in full for his services and Expenditures from the 17th of March 1791 to the 17th of March 1793.

and it is further *Resolved* that the said Amasa Davis Esqr. be Charged with the said Sum of two hundred, and



fifty one Pounds ten Shillings and Seven Pence for which he is to be accountable the same to be carried to a new Account.  
*March 28, 1793.*

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### Chapter 190.

RESOLVE REQUESTING THE GOVERNOR TO WRITE TO GOV. HUNTINGTON, UPON THE SUBJECT OF AN ACT, PASSED MARCH 8<sup>TH</sup>, 1791, FOR ASCERTAINING THE BOUNDARY LINE BETWEEN THIS COMMONWEALTH, AND THE STATE OF CONNECTICUT.

Whereas the Legislature of this Commonwealth, on the eighth Day of March, in the year of our Lord one thousand seven hundred and ninety one, Did appoint Commissioners on their part, to run and ascertain the boundary Line between the State of Connecticut and this Commonwealth; and whereas application has been made to the Legislature of the State aforesaid, for a simular appointment on thier part, who did not concur, because they were not informed as to the ultimate view of this Commonwealth, in making said Appointment, or as to any disputes or altercations, which existed between the Citizens of the two States, relative to the Line of jurisdiction, between that State & this Commonwealth:

*Resolved*, that his Excellency the Governor, he & he hereby is requested, to write to the Governor of the State of Connecticut, and inform him, that the ultimate view of this Commonwealth, in the appointment of Commissioners as aforesaid, is to restore peace & harmony, between the Citizens of the two States, who inhabit, on or near the Line of State Jurisdiction — *viz* — between the towns of Southwick, Sandersfield & New Marlborough, in this Commonwealth, and the towns contiguous to them In the State of Connecticut; and that, for that purpose, Commissioners are appointed on our part; and that, the object of their Commission will be completed, by perambulating the Line westward from Connecticut River, to the State of New York, and by erecting on said Line visible and durable monuments.  
*March 27, 1793.\**

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### Chapter 191.

RESOLVE ON THE PETITION OF SYLVANUS WILLES.

On the petition of Sylvanus Willes, in Behalf of the Town of Topsfield.

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\* Not signed by governor.

*Resolved*, for reasons set forth in said petition (with the additional Circumstance, of said Topsfield having settled a Minister, In November 1789) that the Treasurer of this Commonwealth, be, and he hereby, is directed, to Credit the said Town of Topsfield, the sum of Thirteen Pounds, set on said Town, as a fine, for not sending a Representative In the year 1790.

March 28, 1793.

### Chapter 192.

RESOLVE ON THE PETITION OF LOAMMI BALDWIN, ESQ.

On the Memorial & Petition of Loammi Baldwin Esqr. Sheriff of the County of Middlesex, representing that on the 5th of October 1782 he gave his Note to the then Treasurer for the sum of £.144 5 7½ as the ballance due this Commonth on Gold & Silver Tax, which Note he says he has since paid & whereas said Note cannot at this time be found — therefore

*Resolved* that the Treasurer be & he hereby is Authorised & directed to Credit the said Loammi Baldwin the sum of one hundred & forty four pounds five shilling & 7d on the Gold & Silver Tax aforesaid as also One other sum of fifty eight pounds two shillings & five pence which was received on Execution against Solomon Parker of Natick on said Tax but not credited in the account of said Baldwin.

March 28, 1793.

### Chapter 193.

RESOLVE ON THE PETITION OF JORDAN PARKER, AGENT FOR THE TOWN OF GEORGETOWN.

On the Petition of Jordan Parker Agent for the Town of Georgetown. *Resolved* that the treasur[y][er] of this commonwealth be and he is hereby directed to credit the Town of Georgetown seventy five pounds Eleven shillings and four pence, in addition to one hundred and sixty nine pounds eighteen shillings and seven pence ordered to be credited by resolve of the General Court March the Ninth 1787 the same being for nine thousand eight hundred and twenty pounds paid by Waterman Thomas Esquire as pr. his receipt dated November 16th 1780.

March 28, 1793.

**Chapter 194.**

RESOLVE ON THE PETITION OF RACHEL BLACK AND MOSES BLACK, EXECUTORS TO THE LAST WILL AND TESTAMENT OF ANDREW BLACK, DECEASED.

Upon the Petition of Rachel Black and Moses Black Executors of the last Will & Testament of Andrew Black for reasons therein set forth.

*Resolved*, That the Treasurer be and he hereby is directed to allow interest on the debt due to the Estate of Andrew Black decd. from the late Board of War, from January 4th 1782, to January 1, 1786, & for the principal & interest thus computed to give his Note to said Executors in the same form as the Consolodated Notes are given bearing date at the said first day of Jany. 1786.

*March 28, 1793.*

**Chapter 195.**

RESOLVE ON THE PETITION OF AARON CHAMBERLAIN, AGENT FOR THE PROPRIETORS OF TYNGSTOWN.

On the petition of Aaron Chamberlain agent for the propriators of Tyngstown shewing that Jedediah Prescott jr. has under the direction of the Committee for the sale of eastern lands examined into the interference of said Tyngstown with the Township of Phips's Canada and surveyed & laid out an equivalent in lands adjoining the township of Tyngstown for the deficiency occasioned by said interference and made due return thereof agreeable to a resolve of the general Court of the 28th of Jany. 1792.

*Resolved* that the doings of said Prescott be and hereby are approved of and confirmed and the plan of said lands adjoining to the Township of Tyngtown be and hereby is accepted and the lands contained therein Bounded as follows *Vizt.* Beginning at the North westerly corner of said Tyngstown, thence running South thirty degrees West four miles & thirty rods to the Township sold to Messrs. Holman & Waters, thence South seventy two degrees East, three miles in the line of the last mentioned Township to Phips's Canada thence Easterly by said Phips's Canada to the aforesaid Tyng'stown, thence by the Westerly line of said Tyng'stown to the first mentioned bounds, containing four thousand & six hundred

acres and thirty rods be and hereby are granted to the proprietors of the Township of Tyngtown in full for the loss of lands they sustained by the interference of the lines of said Township with the Township of Phips's Canada.

*March 28, 1793.*

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### Chapter 196.\*

#### REPORT OF THE COMMITTEE ON THE VALUATION.

The Committee on the subject of the Valuation ask leave to report — that they met on the fifth day of December, being as soon after the appointment as circumstances of convenience would admit, and proceeded to an examination of the law, intitled — “An Act for inquiring into the rateable estates within this Commonwealth” — and also of the returns from the several towns, districts, and plantations, in the Commonwealth, made pursuant to said Act, and formed an estimate of the several descriptions of real and personal estate enumerated in the act aforesaid, and contained in the returns aforesaid. That in forming this estimate your Committee were regulated by the income of the property, as deducible from the different kinds and quantity of produce apparent from said returns — making such allowances for circumstances of locality & other appendages, as to them appeared reasonable, & having compleated this, your Committee found that from the errors & deficiencies in the returns from many towns, the relative proportions of such towns to those which had made legal and proper returns, would be marked with striking features of injustice; — to remedy which, your Committee proceeded to add such articles, and amount of property not included in the returns, as by their best judgment deliberately used, it appeared the inhabitants of the different places must be possessed of, to give that support to themselves, and subsistence for their Cattle actually kept, which it was evident they derived from sources within their own limits accompanied in many instances with direct proof of the facts, and aided by former returns of like property, repeatedly made by themselves, making due allowance for the division of towns, and alterations of boundaries; after which they again carefully revised the estimates, & in many instances varied the same, so as to conform the whole to the desirable principal of equality — In exercising this Judg-

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\* Taken from court record.

ment your Committee have felt the force of the censure naturally incident to a business of this kind — of the opposition & influence of those who would be affected by the variations from their returns; and of the careful scrutiny which their doings will be subjected to, by those who will arraign their conduct to the standard of propriety, which circumstances have operated as a strong restrictive to your Committee, to proceed with great caution and deliberation, and must be considered as an apology for the length of time employed in executing the duty of their commission. The result of which they now submit to the candour of an enlightened Legislature as proceeding from an assiduous application to duty from the time of their first meeting, and an earnest desire to do Justice to every part of the Community in the apportionment of public taxes, and as the basis thereof, that the several towns Districts and Plantations be charged the several sums set against them respectively, as their proportion to one thousand pounds in future taxes.

WALTER SPOONER, *per order.*

In the House of Representatives, March 21, 1793 —  
Read and accepted.

Sent up for concurrence, DAVID COBB, *Speaker*.

In Senate, March 23, 1793 — Read and concurred,

SAMUEL PHILLIPS, *President.*

Polls.	Towns.									On the thous.
3631	Boston	.	.	.	.	.	.	.	.	£ 91 16 8 <sup>1</sup> / <sub>2</sub>
458	Roxbury	.	.	.	.	.	.	.	.	8 0 7 <sup>1</sup> / <sub>2</sub>
448	Dorchester	.	.	.	.	.	.	.	.	6 4 4 <sup>1</sup> / <sub>2</sub>
417	Stoughton	.	.	.	.	.	.	.	.	3 14 4 <sup>1</sup> / <sub>2</sub>
539	Hingham	.	.	.	.	.	.	.	.	4 15 0 <sup>1</sup> / <sub>2</sub>
399	Dedham	.	.	.	.	.	.	.	.	4 14 5 <sup>1</sup> / <sub>2</sub>
189	Medfield	.	.	.	.	.	.	.	.	1 19 3 <sup>1</sup> / <sub>2</sub>
119	Dover	.	.	.	.	.	.	.	.	1 7 7 <sup>1</sup> / <sub>2</sub>
442	Wrentham	.	.	.	.	.	.	.	.	4 0 2 <sup>1</sup> / <sub>2</sub>
349	Weymouth	.	.	.	.	.	.	.	.	3 7 2 <sup>1</sup> / <sub>2</sub>
222	Milton	.	.	.	.	.	.	.	.	3 0 2 <sup>1</sup> / <sub>2</sub>
212	Quincy	.	.	.	.	.	.	.	.	2 16 10 <sup>1</sup> / <sub>2</sub>
449	Braintree	.	.	.	.	.	.	.	.	5 2 11 <sup>1</sup> / <sub>2</sub>
274	Franklin	.	.	.	.	.	.	.	.	2 16 8 <sup>1</sup> / <sub>2</sub>
268	Needham	.	.	.	.	.	.	.	.	2 14 4
105	Brookline	.	.	.	.	.	.	.	.	2 11 11 <sup>1</sup> / <sub>2</sub>



COUNTY OF SUFFOLK — *Concluded.*

Polls.	Towns.	On the thous.
278	Medway . . . . .	£.2 14 21 $\frac{1}{4}$
236	Walpole . . . . .	1 19 7 $\frac{1}{2}$
220	Sharon . . . . .	1 15 7
111	Chelsea . . . . .	1 18 1
195	Cohasset . . . . .	1 17 6 $\frac{3}{4}$
153	Bellingham . . . . .	1 10 6
149	Foxborough . . . . .	1 7 0
21	Hull . . . . .	0 6 9
9884		£ 162 12 0 $\frac{1}{4}$

## COUNTY OF ESSEX.

1464	Salem . . . . .	£.23 8 3
937	Newburyport . . . . .	17 14 3
999	Ipswich . . . . .	10 0 1 $\frac{1}{2}$
849	Newbury . . . . .	9 6 1 $\frac{1}{2}$
517	Danvers . . . . .	5 13 3
731	Beverly . . . . .	7 14 2
782	Andover . . . . .	8 2 10
1107	Marblehead . . . . .	7 19 7
1029	Gloucester . . . . .	7 10 10
508	Haverhill . . . . .	4 18 0 $\frac{1}{2}$
598	Lynn . . . . .	3 17 9 $\frac{1}{2}$
100	Lynnfield . . . . .	1 2 1
593	Rowley . . . . .	4 6 7 $\frac{1}{2}$
457	Salisbury . . . . .	3 16 8 $\frac{1}{2}$
405	Almsbury . . . . .	3 5 0 $\frac{1}{2}$
327	Bradford . . . . .	3 10 3
206	Boxford . . . . .	2 10 8 $\frac{1}{2}$
286	Methuen . . . . .	2 15 9 $\frac{1}{2}$
202	Topsfield . . . . .	2 4 10
161	Middleton . . . . .	1 12 7 $\frac{1}{2}$
97	Wenham . . . . .	1 2 6
224	Manchester . . . . .	1 7 2
12376		£.133 19 7

## COUNTY OF MIDDLESEX.

457	Cambridge . . . . .	£.7 15 2 $\frac{1}{2}$
410	Marlboro' . . . . .	4 6 0
384	Woburn . . . . .	3 15 4 $\frac{1}{2}$
410	Groton . . . . .	3 13 3
462	Reading . . . . .	3 16 1
378 $\frac{1}{2}$	Framingham . . . . .	3 14 5 $\frac{3}{4}$
322	Newton . . . . .	3 9 6 $\frac{1}{2}$
336	Concord . . . . .	3 15 6
203	Acton . . . . .	1 14 2 $\frac{1}{2}$
146	Carlisle . . . . .	1 6 9
298	Billerica . . . . .	3 0 2
209	Medford . . . . .	2 17 5
350	Charlestown . . . . .	5 9 2
297	Sudbury . . . . .	2 12 7 $\frac{1}{2}$
299	Chelmsford . . . . .	2 18 10
287	Watertown . . . . .	3 4 1
270	Westford . . . . .	2 14 9

COUNTY OF MIDDLESEX — *Concluded.*

Polls.	Towns.	On the thous.
182	Stow . . . . .	£.1 16 1
93	Boxborough . . . . .	0 16 8½
230	Waltham . . . . .	2 19 1
258	Hopkinton . . . . .	2 10 3
224	Weston . . . . .	2 17 2
226	Lexington . . . . .	2 11 5
224	Holliston . . . . .	2 8 0
240	Malden . . . . .	2 6 1¾
254	Pepperell . . . . .	2 4 4
211	East-Sudbury . . . . .	2 1 7½
194	Sherburne . . . . .	2 0 5
279	Dracut . . . . .	2 3 7
207	Littleton . . . . .	1 18 4
100	Dunstable . . . . .	1 3 5
119	Tyngsborough . . . . .	1 4 8
156	Lincoln . . . . .	1 14 1
228	Tewksbury . . . . .	1 16 10
141	Bedford . . . . .	1 13 9
252	Townsend . . . . .	1 14 8
161	Wilmington . . . . .	1 8 3
144	Natick . . . . .	1 7 2
196	Ashby . . . . .	1 12 0
168	Shirley . . . . .	1 4 6
104	Stoneham . . . . .	0 17 6

10109½

£ 104 13 4½

## COUNTY OF HAMPSHIRE.

360	Springfield . . . . .	£.3 12 6
189	Hatfield . . . . .	2 4 4
232	Hadley . . . . .	2 8 11
326	Westfield . . . . .	3 11 0
341	Wilbraham . . . . .	3 0 7¼
256	Shelburne . . . . .	1 17 10
297	Colrain . . . . .	2 4 4½
188	South-Hadley . . . . .	1 15 8¾
376	Greenfield . . . . .	2 19 11½
283	Amberst . . . . .	2 13 0½
373	New-Salem . . . . .	2 9 11½
197	Palmer . . . . .	1 12 10½
261½	Chester . . . . .	1 13 1½
162	Buckland . . . . .	0 17 7½
105	Heath . . . . .	0 13 7¼
312	Brimfield . . . . .	2 17 6
332	Southampton . . . . .	1 14 2
109	Montgomery . . . . .	0 13 11
135	Goshen . . . . .	1 4 7½
138	Ludlow . . . . .	0 18 11½
159	Shutesbury . . . . .	0 19 8
219	Montague . . . . .	1 13 10½
207	Cummington . . . . .	1 8 10
335	Ashfield . . . . .	2 1 0
150	Bernardstown . . . . .	1 3 11½
238	Greenwich . . . . .	1 18 0
118	Easthampton . . . . .	1 11 3



COUNTY OF WORCESTER — *Concluded.*

Polls.	Towns.	On the thous.
156	Northborough . . . . .	£.1 12 6 $\frac{1}{2}$
252	Shrewsbury . . . . .	2 11 10 $\frac{3}{4}$
273	Lunenburg . . . . .	2 10 11
268	Fitchburgh . . . . .	2 0 2 $\frac{1}{4}$
306	Uxbridge . . . . .	3 0 2
359	Harvard . . . . .	3 1 9 $\frac{3}{4}$
248	Dudley . . . . .	2 0 5
220	Bolton . . . . .	2 1 4 $\frac{1}{4}$
211	Upton . . . . .	1 13 9 $\frac{1}{2}$
454	Sturbridge . . . . .	3 15 10 $\frac{1}{2}$
313	Leominster . . . . .	2 10 10 $\frac{1}{2}$
399	Hardwick . . . . .	3 9 3 $\frac{3}{4}$
254	Holden . . . . .	2 7 8 $\frac{1}{2}$
248	Douglass . . . . .	1 15 9
237	Grafton . . . . .	2 8 3 $\frac{3}{4}$
390	Petersham . . . . .	3 16 0
263	Royalston . . . . .	1 16 9
318	Westminster . . . . .	2 14 8 $\frac{1}{2}$
206	Athol . . . . .	1 14 7
241	Templeton . . . . .	2 3 5 $\frac{1}{2}$
245	Princeton . . . . .	3 4 1 $\frac{3}{4}$
226	Ashburnham . . . . .	1 9 0
234	Winchendon . . . . .	1 19 11 $\frac{1}{2}$
466	Barre . . . . .	4 9 7 $\frac{1}{2}$
364	Sterling . . . . .	3 6 6 $\frac{1}{4}$
219	Boylston . . . . .	2 4 5 $\frac{3}{4}$
229	Weston . . . . .	2 4 2 $\frac{3}{4}$
180	Milford . . . . .	1 17 11 $\frac{1}{4}$
119	Ward . . . . .	1 6 8
177	Gerry . . . . .	1 12 5 $\frac{3}{4}$
113	Northbridge . . . . .	0 18 5
135	Gardener . . . . .	1 2 8
127	Berlin . . . . .	1 2 6 $\frac{3}{4}$
13762		£.127 5 0 $\frac{1}{2}$

## COUNTY OF BARNSTABLE.

501	Barnstable . . . . .	£.4 2 3 $\frac{1}{2}$
446	Sandwich . . . . .	3 9 5 $\frac{3}{4}$
665	Yarmouth . . . . .	3 5 11 $\frac{1}{2}$
384	Falmouth . . . . .	2 6 2
535	Harwich . . . . .	2 9 2
317	Eastham . . . . .	1 7 11 $\frac{1}{4}$
240	Welfleet . . . . .	1 1 6 $\frac{1}{4}$
329	Truro . . . . .	1 0 10 $\frac{1}{2}$
90	Provincetown . . . . .	0 9 11
252	Chatham . . . . .	1 3 5 $\frac{1}{2}$

£.20 15 11 $\frac{3}{4}$ 

## COUNTY OF PLYMOUTH.

731	Plymouth . . . . .	£.4 12 4
1113	Bridgewater . . . . .	11 6 11
1055	Middleboro' . . . . .	9 4 5
619	Scituate . . . . .	6 10 0

COUNTY OF PLYMOUTH— <i>Concluded.</i>			On the thous.	
Polls.	Towns.			
584	Rochester . . . . .		£.4	5 10
429	Pembroke . . . . .		3	17 1
363	Marshfield . . . . .		3	9 11 $\frac{1}{2}$
374	Abington . . . . .		3	9 8 $\frac{1}{4}$
224	Hanover . . . . .		1	19 1
239	Kingston . . . . .		2	3 3 $\frac{3}{4}$
213	Plympton . . . . .		1	13 1 $\frac{3}{4}$
233	Carver . . . . .		1	10 4
168	Halifax . . . . .		1	9 0 $\frac{1}{2}$
206	Wareham . . . . .		1	7 5 $\frac{1}{4}$
361	Duxbury . . . . .		2	11 2 $\frac{3}{4}$
6912			£.59	9 9 $\frac{3}{4}$
COUNTY OF DUKES COUNTY.				
305	Edgartown . . . . .		£.1	11 8
199	Chilmark . . . . .		2	8 11 $\frac{1}{2}$
259	Tisbury . . . . .		1	9 1
763			£.5	9 8 $\frac{1}{2}$
COUNTY OF NANTUCKET.				
1121	Sherburne . . . . .		£.6	13 3 $\frac{1}{4}$
COUNTY OF BRISTOL.				
745	Taunton . . . . .		£.6	4 3 $\frac{1}{2}$
904	Rehoboth . . . . .		7	0 0
315	Swanzy . . . . .		2	10 2 $\frac{1}{2}$
553	Dartmouth . . . . .		4	17 5 $\frac{1}{2}$
332	Norton . . . . .		3	0 6
233	Mansfield . . . . .		1	14 10 $\frac{1}{2}$
503	Attleboro' . . . . .		4	12 11 $\frac{1}{4}$
347	Dighton . . . . .		2	17 0
458	Freetown . . . . .		3	8 0
239	Raynham . . . . .		1	19 10 $\frac{3}{4}$
333	Easton . . . . .		2	8 3 $\frac{3}{4}$
195	Berkley . . . . .		1	9 3
739	New-Bedford . . . . .		5	19 2
430	Westport . . . . .		3	18 8
221	Somerset . . . . .		1	19 0
6547			£.53	19 6 $\frac{3}{4}$
COUNTY OF BERKSHIRE.				
425	Sheffield . . . . .		£.3	15 6 $\frac{3}{4}$
295	G. Barrington . . . . .		2	14 2 $\frac{3}{4}$
306	Stockbridge . . . . .		2	18 4 $\frac{1}{4}$
258	Richmond . . . . .		2	11 0 $\frac{1}{4}$
248	Lenox . . . . .		2	4 0
406	Lanesborough . . . . .		3	0 4
369	Williamstown . . . . .		3	3 6 $\frac{1}{2}$
349	Adams . . . . .		2	4 2
164	Egremont . . . . .		1	7 0
170	Beckett . . . . .		1	6 4 $\frac{3}{4}$
214	W. Stockbridge . . . . .		1	13 0 $\frac{1}{2}$



COUNTY OF BERKSHIRE—*Concluded.*

Polls.	Towns.	On the thous.
132	Dalton . . . . .	£.0 19 7 $\frac{1}{4}$
117	Alford . . . . .	1 0 10 $\frac{1}{4}$
81	New Ashford . . . . .	0 9 6
341	New Marlboro' . . . . .	2 11 4 $\frac{1}{2}$
337	Tyringham . . . . .	2 8 0 $\frac{1}{2}$
84	Louden . . . . .	0 9 11
218	Windsor . . . . .	1 2 9 $\frac{1}{2}$
238	Partridgefield . . . . .	1 10 10
190	Hancock . . . . .	1 8 7
249	Lee . . . . .	2 0 6 $\frac{3}{4}$
129	Washington . . . . .	0 18 2 $\frac{1}{2}$
381	Sandisfield . . . . .	2 16 4 $\frac{1}{2}$
35	Mount Washing. . . . .	0 4 10
441	Pittsfield . . . . .	4 9 7
38	11000 acres adj. to Sandisfield . . . . .	0 4 6 $\frac{1}{2}$
50	Bethlehem . . . . .	0 6 7
237	Cheshire . . . . .	2 3 6
6265		£.52 3 3 $\frac{1}{4}$

## COUNTY OF YORK.

560	York . . . . .	£.5 14 0
848	Berwick . . . . .	71 7 0
837	Wells . . . . .	6 4 0
337	Arundell . . . . .	2 17 0
284	Biddeford . . . . .	2 10 0
291	Pepperelboro' . . . . .	2 10 0
334	Buxton . . . . .	2 7 8
410	Sandford . . . . .	2 5 0
171	Pearsonfield . . . . .	1 4 0
179	Coxhall . . . . .	1 3 7
141	Fryburgh . . . . .	1 1 0
220	Waterboro' . . . . .	1 5 0
144	Limington . . . . .	1 0 0
118	Limmerick . . . . .	0 16 4
157	Little Falls . . . . .	1 0 0
92	Francisboro' . . . . .	0 8 2
42	Brownfield . . . . .	0 6 4
624	Kittery . . . . .	5 19 6
60	Washington . . . . .	0 7 4
861	Shapley . . . . .	1 7 0
270	Lebanon . . . . .	1 12 0
60	Sudbury Canada . . . . .	0 6 10
6434		£.50 1 9

NOTE. 10s. 10 $\frac{1}{2}$  accumulated by the Plantations of Sudbury Canada and Pennicook on the former Aggregate.

## COUNTY OF CUMBERLAND.

560	Portland . . . . .	£.5 0 6
486	Scarboro' . . . . .	4 12 2
597	Falmouth . . . . .	4 15 8
470	Gorham . . . . .	3 1 6

## RESOLVES, 1792. — JANUARY SESSION.

COUNTY OF CUMBERLAND — *Concluded.*

Polls.	Towns.	On the thous.
423	N. Yarmouth . . . . .	3 19 3
294	C. Elizabeth . . . . .	2 1 10
338	Brunswick . . . . .	2 6 8
333	Freeport . . . . .	2 12 11
274	New Gloucester . . . . .	1 16 2
228	Harpswell . . . . .	1 14
229	Windham . . . . .	1 15
198	Standish . . . . .	1 4
152	Gray . . . . .	1 0
170	Durham . . . . .	1 4
200	Bakerstown . . . . .	0 19 7
81	Turner . . . . .	1 0 0
100	Hebron . . . . .	0 10 9
90	Buckston . . . . .	0 8 7
48	Otisfield . . . . .	0 9 10
91	Bridgton . . . . .	0 11 5
60	Planta. No. 4 . . . . .	0 5 7
60	Rusfield Gore . . . . .	0 5 7
91	Raymond . . . . .	0 9 8½
50	Liverm's town . . . . .	0 5 0½
50	Phip's Canada . . . . .	0 5 0½
50	Butter'sfield . . . . .	0 5 0½
50	Peacock . . . . .	0 5 0½
<hr/> 5773		<hr/> £.43 6 5½

NOTE. 15s. 1½ Accumulated by the Plantations of Livermore's town, Phip's Canada and Buttersfield, over the former Aggregate.

## COUNTY OF LINCOLN.

481	Pownalboro' . . . . .	£.4 1 13
344	Georgetown . . . . .	2 17 5
382	Bristol . . . . .	3 4 11½
199	Woolwich . . . . .	1 18 0½
272	Hallowell . . . . .	2 12 2½
231	Bath . . . . .	2 0 0
170	Newcastle . . . . .	1 13 9½
293	Waldoboro' . . . . .	2 6 0½
189	Vassalboro' . . . . .	1 5 0½
150	Winthrop . . . . .	1 3 8
140	Pittston . . . . .	1 8 0
227	Boothbay . . . . .	1 15 1
182	Topsham . . . . .	1 12 0
164	Edgecomb . . . . .	1 6 1
113	Bowdoinham . . . . .	1 3 7½
176	Winslow . . . . .	1 4 10
203	Thomaston . . . . .	1 8 3½
163	Warren . . . . .	1 7 6
143	Sydney . . . . .	1 3 6½
100	Readfield . . . . .	0 17 8
218	Cushing . . . . .	1 5 0
99	Nobleborough . . . . .	0 17 5½
91	Canaan . . . . .	0 13 0

COUNTY OF LINCOLN — *Concluded.*

Polls.	Towns.	On the thous.
250	Bowdoin . . . . .	1 14 7½
87	Norridgwalk . . . . .	0 11 0½
93	Greene . . . . .	0 13 3½
117	Fairfield . . . . .	0 15 9½
55	Union . . . . .	0 10 7¾
97	Cambden . . . . .	0 15 4
71	Monmouth . . . . .	0 12 6½
85	Mount Vernon . . . . .	0 11 2½
82	Medumcook . . . . .	0 10 4½
205	Ballstown . . . . .	1 4 6
82	Hancock . . . . .	0 8 0¼
121	Lewisto. & Gore . . . . .	0 15 9
100	Smithfield . . . . .	0 7 1
100	Sandy River . . . . .	0 12 1
22	Adj. to Bowdoin . . . . .	0 2 0
52	Jones Planta. . . . .	0 2 8½
<hr/>		<hr/>
6349		49 11 4¼
	Plymo. Comp. Lands . . . . .	1 2 6

£.50 13 10¼

## COUNTY OF HANCOCK.

237	Penobscott . . . . .	£.1 14 9½
170	Deer Isle . . . . .	0 19 3
206	Mount Desert . . . . .	1 3 3½
85	Isleborough . . . . .	0 8 6
82	Golsborough . . . . .	0 12 5
129	Vinalhaven . . . . .	0 14 2½
97	Orrington . . . . .	0 13 5½
78	Belfast . . . . .	0 12 1¼
106	Sullivan . . . . .	0 10 8
238	Frankfort . . . . .	1 7 11
143	Sedgwick . . . . .	0 16 6½
83	Bluehill . . . . .	0 14 10½
80	Trenton . . . . .	0 13 7½
45	Bangor . . . . .	0 6 9
55	Planta. No. 2, E. of P. R. . . . .	0 7 1¼
34	Adj. to Sullivan . . . . .	0 3 7½
49	Do. to Bangor . . . . .	0 5 11¾
50	Duck Trap . . . . .	0 4 6¼

1967		12 9 1½
	Waldo s Claim . . . . .	1 7 6

£.13 17 1½

## COUNTY OF WASHINGTON.

200	Machias . . . . .	£.1 6 9¼
64	Planta. No. 6, E. of U. R . . . . .	0 7 4½
57	Do. No. 13, East U. R. . . . .	0 6 8¼
60	Do. No. 5, E. U. Riv. . . . .	0 8 3
62	Do. No. 4, E. Unio. R. . . . .	0 5 11½
50	Do. No. 8, E. of Mach. . . . .	0 3 0

493		£.3 1 1
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Aggregate of the several Counties.			On the thous.		
Polls.	Towns.				
9884	Suffolk	. . . . .	£.162	12	0½
12376	Essex	. . . . .	133	19	7
10109½	Middlesex	. . . . .	104	13	4½
13912½	Hampshire	. . . . .	111	18	0¾
13762	Worcester	. . . . .	127	5	0½
3759	Barnstable	. . . . .	20	15	11¾
6912	Plymouth	. . . . .	59	9	9¾
763	Duke's County	. . . . .	5	9	8½
1121	Nantucket	. . . . .	6	13	3¼
6547	Bristol	. . . . .	53	19	6¾
6265	Berkshire	. . . . .	52	3	3¼
6484	York	. . . . .	50	1	9
5723	Cumberland	. . . . .	43	6	5½
6349	Lincoln	. . . . .	50	13	10¼
1967	Hancock	. . . . .	13	17	1
493	Washington	. . . . .	3	1	1
			£1000 0 0		

### Chapter 197.

ROLL NO. 26.

The Committee on Accounts having examined the Accounts they now present — *Report*, there is due to the Towns and Persons hereafter mentioned, the sums set to their respective names, which if allowed and paid, will be in full discharge of said Accounts, to the dates therein mentioned.

JOSEPH HOSMER *Pr. Order.*

#### *Expences of Maintaining the Poor of the Common-wealth.*

To the Town of Abington for supporting, John Henry Benner from 1 June 1791 to 1 Jany. 1793, £.8 10 6 — Thomas Wallas & Wife & Joseph Steel from 1 Jany. 1792 to 1 Jany. 1793 £.23, 18 9 — & Polly Williams & Child from 8 Sept. 1792 to 23 Feby. 1793 — 5. 12. 8, .	£	s.	d.
	38	1	11
To the Town of Alford for supporting William Maxfield & others from 24 June 1790 to 5 Jany. 1793 — by order of Court, . . . . .	47	6	8
To the Town of Andover for supporting John Delap, & others, from 1 March 1792 to 1 March 1793 including Doctor's Bills, . . . . .	49	16	5
To the Town of Attleborough for supporting John Jane & his Wife from 12 Jany. 1792 to 12 Jany. 1793, . . . . .	26	10	6
To the Town of Acton for supporting the Wife of Robert Barber & her four Children from 19 June 1792 to 26 Feby. 1793, . . . . .	19	12	10
To the Town of Bernardston for supporting Hugh Casey in 1789, £6 — and for Doct. Polycarpus Cushman's bill 6. 11. 3 by order of Court, . . . . .	12	11	3

To the Town of Beverly for supporting Morris Nash & family from 5 Decr. 1791 to 5 Feby. 1793, . . . . .	£	s.	d.
	15	5	0
To the Town of Billerica for supporting Jane Wood from 12 Novr. 1789, to 9 Jany. 1793 — by order of Court, . . . . .	45	3	6
To Doctr. Josiah Bartlet of Charlestown, for Medicines & attendance on Abraham Berry & Mary McCollum in 1791 & 1792, . . . . .	3	0	0
To Town of Buckland for supporting Jerusha Wilkie from 8 March 1792 — to 31 Jany. 1793, . . . . .	10	13	9
To Town of Brookfield for supporting Robert Ellison & John White from 28 Novr. 1791, to 3 Sep. 1792, including Doctr Foxcrafts bill, . . . . .	13	17	7
To Town of Boylston for supporting John Hannah's family from 1 Novr. 1791, to 20 Feby. 1793, . . . . .	9	7	8
To Town of Bridgewater for supporting John Jess & family from Decembr. 1790 to 20 Feby. 1793 21 4 10 & for Doctr. Josiah Otis Bill for Medicines & attendance for John Wyle — £.6 12, and for supporting said Wyle from 13 September to 7 Decr. 1792 £.7 19, 0 by order of Court, . . . . .	35	15	10
To Doctr. Abisha Brown of Concord for attendance on Thomas Pocock from 8 March to 12 April 1791 — with a broken bone, . . . . .	1	1	0
To Town of Concord for supporting William Shaw & wife from 11 June 1792 to 25 Feby. 1793 — £.8. 7; also for supporting Robert Campbell and family, in Jan. 1793 40s., . . . . .	10	7	0
To Town of Charlemont for supporting Jonathan Hill from 1 Decr. 1791 to 31 Jany. 1793, . . . . .	14	15	0
To Town of Colerain for supporting John Stewart & Wife & Daniel McDougal from 31 Decr. 1791 to 31 Decr. 1792, . . . . .	40	8	0
To Town of Cape Elizabeth for supporting Betty Carrol from 27 May 1792 to 27 Feby. 1793, . . . . .	13	19	0
To Town of Chelsea for supporting John Gooding & family from 14 Feby. 1792 to 21 Feby. 1793, . . . . .	24	14	5
To Mary Cutter of Medford for supporting a Child from 31 May 1792 to 1 March 1793, . . . . .	4	17	6
To Town of Cambridge for supporting Sally Bingham from 21 Augt. to 11 Decr. 1792 £.3 6, & for Doctr. Timo. L. Jennison bill for attendance on her 27s. & for supporting William Clairs Child, from 1 May 1792 to 1 Feby. 1793 4 17 6, . . . . .	9	10	6
To Town of Dracut for supporting John Hancock & Wife, from 13 Novr. 1792 to 4 March, 1793, . . . . .	5	14	8
To Town of Danvers for supporting Naney Handway & others between 1 Novr. 1785 & 7 December 1789 — by order of Court, . . . . .	50	8	9
To Town of Dalton for supporting John Hovey Junr. & family in 1789 & 1790, including Doctr. Wrights Bill — by order of Court, . . . . .	14	2	5
To Town of Franklin for supporting Alexander Reed from 19 Novr. 1791 to 7 Jany. 1793, . . . . .	30	10	0
To Town of Framingham for supporting Polly Saunders from 1 Feby. 1792 to 1 Feby. 1793, . . . . .	2	6	6



	£	s.	d.
To Town of Gorham for supporting Mary Duggins & Nancy Peirce between Jan'y. 30, 1791 & 30 Jan'y. 1793,	53	11	4
To Town of Granby for supporting James Johnston to 18 April 1792,	12	1	0
To Town of Groton for supporting John Cluffin Wright & others from 10 Jan'y. 1792 to 10 Jan'y. 1793,	65	1	2
To Town of Georgetown for supporting John Loins & others from 26 May, 1792 to Feby. 1793,	47	19	6
To Town of Greenfield for supporting John McHeard from 1 March 1792 to 15 January 1793,	11	10	0
To Town of Gloucester for supporting sundry persons States poor from 1 Jan'y. 1792 to 1 Jan'y. 1793,	132	8	6
To Town of Greene for supporting John Chandler 36 Weeks, to 14 Jan'y. 1793,	10	16	0
To Town of Hanover for supporting Martha Wickams in 1792 with a broken Leg 8 weeks & 2 days by order of Court,	4	16	0
To Jesse Houghton, of Boston for burying sundry strangers who died with the Small Pox & other diseases from 15 Sept. 1792 to 1 March 1793,	22	4	0
To Town of Hopkinton for supporting Patience Bondley & Anna Fanning from 1 Feby. 1791, to 1 Feby. 1792,	11	10	0
To Town of Hadley for supporting Mary Battis from 1 Jan'y. 1791 to 1 January 1793,	2	8	0
To Town of Lancaster for supporting Richard Patten from 1 Jan'y. 1792 to 1 Jan'y. 1793,	16	17	6
To Town of Lincoln for supporting William Orr from 1 Sep. 1791 to 1 May 1792,	5	7	3
To Town of Milton for supporting John H. Colock, from 21 March 1792 to 1 Jan'y. 1793 with his Leg amputated,	22	10	1
To Town of Malden for supporting John Martin & William Barton with their families from 14 Feby. 1792 to 14 Feby. 1793,	75	2	2
To George Mantor for boarding & nursing Hannah Peters & Child in March 1790,	2	2	0
To William Moore of Boston, for sundry Coffins for poor of the Commonwealth, furnished from 15 May 1792 to 28 Jan'y. 1793,	13	10	0
To Town of Marlborough, for supporting George Raynolds, Joseph Waters & others between 1 Jan'y. 1791 & 1 Jan'y. 1792, £.8, 4, 9 & for Doctr. Amos Cottings Bill £.1, 14, 2,	9	18	11
To Town of Mansfield, for supporting Hugh McFarson & Family from 4 Feby. 1789 to 4 Feby. 1790, including Doctr. Billings' acct.,	22	17	4
To Town of Medfield, for supporting George Turner to 27 Feby. 1793,	0	12	0
To Town of Medway, for supporting William Franklin from 29 May to 21 Decemr. 1792,	8	5	2
To Town of Middleborough for supporting Catherine More from 3 Jan'y. 1792 to 5 Feby. 1793,	6	13	0
To Town of New Braintree for supporting Michael Lincoln from Novr. 1791, to 1 January 1793,	11	3	1

To Doctr. Aaron Putnam, for Medicine & attendance for the Widow Manning one of the Poor of Charlestown, who died in Medford in 1787 — allowed by order of Court,	£	s.	d.
	5	8	6
To Town of New Bedford, for supporting Philip Mason & Charles Simson up to 1 February 1793 including Doctr. Perry's Bill,	15	0	10
To Town of Norton, for supporting Joseph Pratt & Wife up to 15 Octr. 1792,	17	14	7
To Town of Northampton for supporting Samuel Green from 9 April 1792 to 3d. Febr. 1793,	11	11	6
To Robert Newman, of Boston for burying sundry persons, who died with the Small Pox in Sep. & October 1792,	3	12	0
To Town of Newbury for supporting State Poor from 1 Jany. 1792 to 20 Janry. 1793,	21	9	9
To Town of Northampton for supporting sundry persons to 5 Decr. 1792,	17	2	1
To Town of Newburyport, for supporting sundry persons, poor of the Common-wealth from 1 May 1792 to 1 Janry. 1793,	143	2	0
To Town of Pembroke, for supporting James Brand's Child from 20 Novr. 1791 to 20 Novr. 1792,	5	4	0
To Town of Partridgefield, for supporting Mary Lace from 24 Jany. 1792 to 13 March 1793,	16	10	0
To Town of Plymton for supporting Nancy George & Child to 15 Feby. 1793,	7	3	6
To Town Pittston for supporting Amy Clark a lunatick from 1 January 1792 to 1 January 1793,	16	16	9
To Town of Plymouth for supporting sundry persons poor of the Commonwealth up to 1 March 1793 £30, 6, 5, and for short allowance on last acct. 5, 4, 10,	35	11	3
To Town of Reading for supporting Samuel Bancroft from 25 Jany. 1792 to 25 Janry. 1793 — also Joseph Pevoe from 1 Febr. 1792 to 1 Febr. 1793,	36	10	10
To Town of Rehoboth for supporting Richard Bolton & family up to 26 Janry. 1793,	22	18	9
To Town of Roxbury for supporting George De Silva from 1 Jany. 1792 to 1 Jany. 1793 & others up to 22 Jany. 1793,	26	12	0
To Town of Richmond for supporting George Dadraft up to 11 Febr. 1793,	6	15	3
To Town of Sterling for a balance due, for supporting Daniel McLeod's Wife & Children from 27 Octr 1790 to 11 June 1792, 8, 1, 9 also for Doctr. Israel Allen's Bill on said family, 3, 1, 3,	11	3	0
To Doctor Marshall Spring for attendance & medicine, & amputating a limb of Mr. Crouch's Aug. 1791,	9	17	0
To Town of Southwick for supporting George Reed from 12 Jany. 1792 to 12 Jany. 1793,	16	4	0
To Town of Springfield for supporting sundry persons poor of the Common-wealth up to 28 Jany. 1793,	16	6	0
To Town of Salem for supporting sundry persons poor of the Common-wealth from 1 January 1792, to 1 January 1793,	377	2	0
To Town of Situate for supporting Charles Curtis & others up to the 1 June 1792,	15	15	9

To Town of Spencer for supporting Robert Giffin from 15 July 1790 to Jany. 1791, 24 Weeks, by James Watson $\text{H}^r$ acct, . . . . .	£ s. d. 6 10 0
To Town of Tewksbury for supporting James Johnson, from 28 May to 18 July 1792 the time when he died, . . . . .	4 11 3
To Town of Thomastown for supporting Anne Clark & others from May 1787 to May 1791 — committed by order of Court, . . . . .	56 4 9
To Town of Williamstown, for supporting John Coonradt Leonard & Robert Waldin up to 26 Jany. 1793, & Rachel Galusha from 20 May 1792 to 24 Febr. 1793 — including Doctr. Wm. Towners acct. of £ 8 1 2, . . . . .	50 16 2
To Town of Westfield for supporting William Davis from 1 Jany 1792 to 1 Jany. 1793, . . . . .	13 0 0
To Doctr. Thomas Welsh for Visits & Medicines for sundry poor of the Common-wealth, with the small pox, in the Hospital at West Boston, from June to August 1792, . . . . .	20 11 3
To Town of Williamsburgh for supporting Archibald McMullin & Wife from 12 March 1792 to 29 Jany. 1793 as $\text{H}^r$ Account of Benjamin Pomeroy, . . . . .	21 17 0
To Town of West springfield, for supporting Lucy Kent from 15 May, 1792 to 14 January 1793, . . . . .	10 2 9
To Town of Worcester, for supporting Temperance Cummings & others between Febr. 1785 & June 1791 — committed by Order of Court, . . . . .	5 10 6
To Town of Walpole, for supporting Sally Davis from 1 Jany. 1792 to 1 Jany. 1793 by Samuel Copp, as $\text{H}^r$ his acct., . . . . .	12 2 8
To Town of Windsor, for supporting John Dighton & family from 10 Novr. 1792 to 21 Jany. 1793, 6, 1, 10, also for Doctr. Asahel Wrights acct. 5, 9, 0, also for supporting Benjamin Still & Wife from 17 May 1792 to 17 Jany. 1793 13 16 8, . . . . .	25 7 6
To Town of Warwick for supporting Philip Boyle's family from 19 Jany. 1792 to 19 January 1793, . . . . .	15 12 0
To Town of West-ton for supporting John Scudmore from 6 June 1792 to 20 Febr. 1793, . . . . .	11 19 2
To Town of York for supporting Hannah Down from 21 Febr. 1784 to 21 Feby. 1786 $\text{H}^r$ order of Court, . . . . .	9 0 0
To Jabez Dimmock of Falmouth for supporting Lydia Brown & her Child from 14 April to 12 August in 1790 — by Order of Court, . . . . .	5 17 0
To Joseph Hosmer, for supporting Daphney an African, from 14 Novr. 1792 to 27 March 1793 — by order of Court, . . . . .	5 14 0
To Town of Stoughton for supporting Robert Hall's family from 1 April 1791 to 1 Febr. 1793, including Doctor's Bills and every expence. Committed by Order of Court — and the Committee on Accts further report, that the other persons, charg'd in the same acct, by the town of Stoughton, are not poor of the Common wealth, . . . . .	86 2 0
	<hr/> £.2335 11 0

*Printers Accounts, vizt.*

To William Butler of Northampton, for printing for the Common-wealth from Sept. 1791 to 30, Sep. 1792, . .	£	s.	d.
	13	17	6
To Thomas C. Cushing of Salem, for printing from Novr. 1787, to 20 Novr. 1792 committed by order of Court — as 4 <sup>th</sup> two accts., . . . . .	5	5	0
To R — Hutchins of Springfield, for printing in January 1793, . . . . .	0	17	0
To Ezra Waldo Weld of Springfield, for printing from 20 June to 12 Decr. 1792, . . . . .	7	8	0
To Thomas B. Waite of Portland, for printing from 9 July 1792 to 24 Jany. 1793, . . . . .	8	10	6
To Young & Etheridge of Boston, for printing in March 1793 an abstract of the Committee's Report on Valuation, . . . . .	15	0	0
	<hr/> £50 18 0 <hr/>		

*Sheriffs Accounts, vizt.*

To Edmund Bridge Sheriff of the County of Lincoln, for distributing precepts & returning Votes for the Choice of Electors & federal Representatives from Novr. 9, 1792 to 7 Jany. 1793, . . . . .	£	s.	d.
	13	3	0
To John Cooper Sheriff of the County of Washington, for distributing precepts & returning Votes for the Choice of Electors, and federal Representatives to Novr. 1792, . . . . .	19	3	0
To Joseph Dimmick Sheriff of the County of Barnstable, for distributing precepts & returning Votes for the Choice of Electors, and federal Representatives, from January 1789 to December 1792, . . . . .	8	18	6
To Dwight Foster Sheriff of the County of Worster, for Distributing, Proclamations, Precepts, & Returning Votes for federal Representatives, from July 1792 to Feby. 1793, . . . . .	15	9	8
To John Gardner Sheriff of Nantucket, for Distributing Precepts & returng. Votes for the Choice of federal Representatives, from Novr. 1792 to 16 January 1793, . . . . .	4	10	0
To Simon Larned Sheriff of the County of Berkshire, for distributing Precepts & returning Votes for the choice of federal Representatives from Novr. 1792 to 31 January 1793, . . . . .	5	13	0
To George Partridge Sheriff of the County of Plymouth, for distributing precepts & returning Votes for the choice of federal Representatives, and doing other business from June 1783, to January 1793 — by order of Court, . . . . .	11	16	2
To Benjamin Smith Sheriff of Dukes County, for distributing Precepts & returning Votes for choice of federal Representative to 28 Feby. 1793, . . . . .	1	14	4
	<hr/> £80 7 8 <hr/>		

*Expences of Repairing the State House, vizt.*

	£	s.	d.
To Norton Brailsford, for Glass for repairing the Windows, &c. from May 1791 to March 4, 1793 $\pounds$ acct., .	26	3	2
To Joseph Blake, for Mason's Work, & for an Iron Stove $\pounds$ acct., .	18	17	6
To Amasa Davis, for Boards & Plank, $\pounds$ acct., .	12	16	7
To Thomas Dawes, for sundries done at the Lobbies, $\pounds$ acct., .	3	0	0
To Thomas Patten, for Iron Work, $\pounds$ acct., .	1	17	0
To Henry Roby, for Iron funnel &c. $\pounds$ acct., .	9	4	8
To John Stutson, for Joiners Work &c. $\pounds$ two accts., .	29	3	8
To Mason & Winslow, for Nails Locks Hinges &c. $\pounds$ acct., .	7	0	4
To Oliver Wiswall, for Joiners Work, $\pounds$ acct., .	2	9	1
	<hr/> <hr/>		
	£.110	12	0

*Miscellaneous Expences, vizt.*

	£	s.	d.
To John Boyle, for Stationary for the Secretary's office, from 25 Jany. 1792 to 28 February 1793, $\pounds$ acct., .	39	6	3
To James White, for Stationary, for the General Court, from 10 March 1792 to 23 March 1793, $\pounds$ acct., .	48	4	2
To hon. Peleg Coffin Junr., for his service on the Committee for settling Treasurer's Hodgdon's accts., from May 1792 to 30 January 1793, — 145 Days — @ 12s. $\pounds$ day $\pounds$ Resolve, .	87	0	0
To hon. David Cobb, for his service, on the same business, from Octr. 1792 to 30 Jany. 1793 — 94 Days @ 12s., .	56	8	0
To Ezra Collins, for attendance on a Committee on the Petition of Samuel Ward $\pounds$ order of Court, .	1	4	0
To William Jernigan, for his Expences in procuring Receipts & Depositions, to prosecute Thomas Cooke, Excise Officer in the County of Dukes County — by Order of the Attorney General $\pounds$ acct. of 28 Feby. 1793, .	11	10	0
To David Sewall of York, for postage of public Letters in November 1792, .	2	6	7
To Jonathan Hastings for Postage of public Letters, from 1 Feby. 1792 to 6 Feby. 1793, .	8	8	9
To Samuel Laha, for taking care of the Hospital on Rainsford's Island, from 25 Jany. 1792, to 25 Jany. 1793, for Wood & other supplies, .	37	5	5
To Samuel Barrett, for making new Sails for the boat to attend on Rainsford's Island, January 1793, .	16	17	10
To Samuel Barrett Junr., for repairing the old Sails of said boat in April 1792, .	1	10	0
To Joseph Nowell for repairing the Boat belonging to the Castle, $\pounds$ acct., .	8	8	4
To Isaac Peirce for extra expense attending the Council during their Session at Concord in Nov. 1792, .	1	8	0
To William Harris Clerk in the Secretary's office for extra expence attending at Concord, .	1	8	0



To Edward McLane, another Clerk in the same office, for extra expence attending at Concord, . . . . .	£ s. d. 1 8 0
To Andrew Campbell, another Clerk in the same office, for extra expence attending at Concord, . . . . .	1 8 0
To Joseph Laughton, first Clerk in the Treasury office, from 13 Novr. 1792, to 23 March 1793, 112 Days — @ 10s. . . . .	56 0 0
To Daniel Cowing for his attendance on the General Court, from 28 Janry. to 27 March 1793, 51 Days @ 6s. 8. . . . .	17 0 0
To James Bancroft for 11 days service as a Clerk for the Committee on Valuation from 11 to 22 Feby. 1793, @ 9s. . . . .	4 19 0
To Jacob Emerson for 8 days service on the same busi- ness in Feby. 1793, @ 9s. . . . .	3 12 0
To Thomas Greene for 32 days service on the same business, from 24 Decr. 1792, to 30 Janry. 1793, @ 9s. . . . .	14 8 0
To William Palfrey for 7 days service on the same busi- ness in Feby. & March 1793, @ 9s. . . . .	3 3 0
To Jacob Rowe for 22 days service on the same business in Feby. & March 1793 @ 9s. . . . .	9 18 0
To Thomas Popkin for Iron Work, for the State house from the 14 Feby. 1791 to 5 March 1793 4½ acct., . . . .	5 19 6
To his Excellency John Hancock Esqr. for Cash he paid for an Express going to Machias in December 1792 & January 1793, . . . . .	38 2 0
	<hr/> <hr/> £.477 2 10 <hr/> <hr/>

*Expences of the Militia, vizt.*

To John Boyle for Stationary &c. supplied the Adjutant General's office from 10 Feby. 1792 to 4 Feby. 1793, . . . . .	£ s. d. 40 17 9
To William Donnison Adjutant General, in full for his services in that Office, including Office rent, and every other expence from 1 Janry. 1792 to 1 Janry. 1793, . . . . .	150 0 0
To John S. Tyler, Deputy Adjutant General of the 1 division of Militia, for his Services from 7 Feby. 1792 to 23 Feby. 1793, . . . . .	29 3 4
To Fitch Hall Deputy Adjutant General of the 3 division of Militia for his Services from 22 Feby. 1792 to 27 Feby. 1793, . . . . .	21 18 4
To Joseph Williams Deputy Adjutant General of the 4 Division of Militia for his services from 28 Jany. 1792 to 20 January 1793, . . . . .	22 15 2
To Henry Sewall Deputy Adjutant General of the 8 division of Militia for his services from 13 Jany. to 8 November 1792, . . . . .	14 2 6
To Seth Catlin Brigade Major for his services from 28 Jany. 1792 to 20 January 1793, . . . . .	13 18 8
To Samuel M. Thayer Brigade Major for his services from 27 January 1792 to 30 Jany. 1793, . . . . .	18 16 8
To James Scammon Deputy Adjutant General of the 6 division of Militia for his services from 10 Novr. 1791 to 5 Nov. 1792, . . . . .	5 13 0
To John Smith Brigade Major, for his services from 3 June 1791 to 1 January 1793, . . . . .	25 3 0

## RESOLVES, 1792. — JANUARY SESSION.

To Nathaniel Freeman Brigade Major, for his services from 13 Jany. to 18 Nov. 1792, . . . . .	£	s.	d.
	9	18	6
To William Fisk Brigade Major for his services from 1 Jany. 1792 to 1 Feby. 1793, . . . . .	3	15	0
To William Jefferds, Brigade Major for his services from 1 Jany. to 5 Nov. 1792, . . . . .	9	8	0
To Timothy Jackson, Brigade Major for his services from 1 January 1792 to 1 January 1793, . . . . .	10	17	4
To Jacob Mann, Brigade Major for his services from 1 Feby. 1792 to 1 Feby. 1793, . . . . .	11	14	8
To Bethuel Boyd Adjutant for his services from 2 April 1792 to 1 January 1793, . . . . .	6	1	4
To Joseph Billings Adjutant, for his services from 15 April 1792 to 22 Feby. 1793, . . . . .	6	5	10
To Mulphard Howse Adjutant for his services from 4 Augt. to 23 November 1792, . . . . .	2	5	5
To Cyrus Hosmer Adjutant, for his services from March 1792 to 1 March 1793, . . . . .	5	10	0
To Abel Wilder Adjutant for his services from 1 March 1792 to 6 Feby. 1793, . . . . .	6	10	4
To Samuel Field Adjutant for his services from 9 March 1792 to 1 March 1793, . . . . .	8	1	10
To Hezekiah Hutchins Adjutant for his services from Feby. 1792 to 9 Feby. 1793, . . . . .	5	0	9
To Joshua Shaw Adjutant for his services from 10 May 1792 to 1 February 1793, . . . . .	4	5	5
To Thaddeus Frisbie, Adjutant, for his services from 3 January 1792, to 1 Feby. 1793, . . . . .	7	12	10
To Azariah Root, Adjutant, for his services from 8 April to 31 December 1792, . . . . .	6	7	4
To Russell Dewey Adjutant for his services from 25 May 1792 to 24 January 1793, . . . . .	3	9	3
To John Meacham Adjutant, for his services from 15 April 1792 to 29 Janry. 1793, . . . . .	5	14	7
To Joseph Parker jr. Adjutant, for his services from Feby. 1792 to 20 January 1793, . . . . .	4	12	6
To Elias Richardson for taking care of Military Stores in Cambridge from the 1 August 1791 to 1 February 1793, . . . . .	9	0	0
To Josiah Carter of Leominster for repairing Gun Carriages for the State Artillery in 1788 — by order of Court, . . . . .	3	14	0
	<hr/> <hr/>		
	£.472	13	4

## TOTALS BROUGHT DOWN.

Expences of supporting the Poor of the Commonwealth, £.2335	11	0
Printers Accounts, . . . . .	50	18 0
Sheriffs Accounts, . . . . .	80	7 8
Expences of repairing the State House, . . . . .	110	12 0
Expences of the Militia, . . . . .	472	13 4
Miscellaneous Expences, . . . . .	477	2 10
	<hr/> <hr/>	
Whole amount of this Roll is . . . . .	£.3527	4 10

Read and accepted, & thereupon *Resolved* that his Excellency the Governour with the advice of Council, be & he hereby is requested to issue his Warrant on the Treasury for the payment of the several Corporations & persons borne on this Roll, the sums set against such Corporations & persons respectively, amounting in the whole to Three thousand five hundred & twenty seven pounds four shillings and ten pence. *March 27, 1793.*



L A W S  
OF THE  
COMMONWEALTH  
OF  
MASSACHUSETTS.  
PASSED BY THE GENERAL COURT:

BEGUN AND HELD AT BOSTON, IN THE COUNTY OF  
SUFFOLK, ON WEDNESDAY THE TWENTY-NINTH  
DAY OF MAY, *ANNO DOMINI*, 1793.

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BOSTON:  
Printed by ADAMS AND LARKIN,  
Printers to the COMMONWEALTH.  
M,DCC,XCIII.

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1895.





# ACTS AND LAWS,

PASSED BY THE GENERAL COURT OF MASSACHUSETTS:  
BEGUN AND HELD AT BOSTON, IN THE COUNTY OF  
SUFFOLK, ON WEDNESDAY THE TWENTY NINTH DAY  
OF MAY, ANNO DOMINI, 1793.

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## 1793.—Chapter 1.

[May Session, ch. 2.]

AN ACT FOR REPEALING ONE CLAUSE, AND ALTERING A DIVIDING LINE DESCRIBED IN AN ACT INTITLED, "AN ACT FOR DIVIDING THE TOWN OF SALISBURY IN THE COUNTY OF ESSEX INTO TWO PARISHES."

*Be it Enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same* that the following clause *vizt.* "Excepting only that the contract made by the Town with the Minister of that part thereof which now constitutes the West Parish shall so far as it relates to his future support, be considered as devolving and binding upon the West Parish only and not upon the Town," contained in an act passed the last Session of the last General Court, intitled "An Act for dividing the Town of Salisbury in the County of Essex into two Parishes" be and the same hereby is repealed.

Clause in a  
former act  
repealed.

*And be it further enacted* that the first dividing line mentioned in said Act begining at the Oak stump therein mentioned, "and thence running southerly by the western border of said Titcomb's land to Merrimack River" be and hereby is altered, and that said line shall runn from said stump southerly by the eastern, instead of the Western border of said Titcomb's land to said Merrimack River, so as to include the lands of said Enoch Joshua and Richard Titcomb within the bounds of said Western Parish any thing in said Act to the contrary notwithstanding.

Dividing line  
altered.

*Approved June 6, 1793.*

## 1793. — Chapter 2.

[May Session, ch. 3.]

AN ACT AUTHORIZING LEWIS ANSART DE MARESQUELLE, TO OMIT THE ADDITION OF DE MARESQUELLE & TO BE CALLED AND KNOWN BY THE NAMES OF LEWIS ANSART.

Preamble.

*Whereas Lewis Ansart De Maresquellle of Dracut in the County of Middlesex Esqr. has petitioned this Court praying that he may be authorized to omit the addition of De Maresquellle & that he may be called & known by the names of Lewis Ansart, which are his Christian and family names.*

Enacting clause.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same, that the said Lewis Ansart De Maresquellle be and he hereby is allowed and authorized to omit the said addition of De Maresquellle, and that he be hereafter called and known by the name of Lewis Ansart.*

*Approved June 6, 1793.*

## 1793. — Chapter 3.

[May Session, ch. 4.]

AN ACT FOR THE ENCOURAGEMENT OF THE GLASS MANUFACTURY WITHIN THIS COMMONWEALTH.

Preamble.

*Whereas it is of great importance that useful manufactures should be encouraged and promoted within this Commonwealth; & it appearing to this Court that William Phillips, Thomas Walley, Jonathan Amory, William Tudor, Charles Jarvis, John Andrews and their Associates have expended six thousand pounds in erecting suitable works, and procuring qualified workmen from Europe, for the purpose of manufacturing Glass within the town of Boston, and it clearly appearing to this Court, that the said undertaking will be of public advantage; Therefore*

Exclusive  
privilege of  
making Glass  
granted to  
certain persons  
for a term.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that they the said William Phillips, Thomas Walley, Jonathan Amory, William Tudor, Charles Jarvis, and John Andrews and their associates, heirs and assigns shall have and enjoy at such place or places within this Commonwealth, and in such manner as they shall agree upon, the sole and exclusive right of manufacturing all*

sorts of window and plate glass within this Commonwealth for & during the full term of ten years from the date of this Act.

*And be it further enacted by the Authority aforesaid,* that the said Phillips, Walley, Amory, Tudor, Jarvis and Andrews, and their associates shall have the further sole and exclusive right of manufacturing all sorts of hollow glass ware, for the same term of ten years: *Provided* Further privilege. *nevertheless* that they shall within three years from the date of this act manufacture of such hollow glass ware, including bottles of all sorts, to the amount of one thousand pounds, and shall continue annually to manufacture of such hollow glass ware, and bottles to the value of one thousand pounds as aforesaid, otherwise this exclusive right hereby granted shall cease so far as relates to such hollow ware and bottles, and be and remain to said proprietors only, as an exclusive right to them and their associates, for manufacturing window and plate glass as aforesaid. Proviso.

*And be it further enacted by the authority aforesaid,* that the land and buildings actually occupied in carrying on the said manufacture shall be, and hereby are exempted from taxation for the term of five years from, and ensuing the passing of this act. Lands and buildings exempt from taxation.

*And be it farther enacted by the authority aforesaid,* that all the artificers, and workmen of every kind employed in the said Manufacture be, and they hereby are exempted from all military duties, during the time that they shall be employed in the said Manufactory. Workmen exempted from military duty.

*And be it further enacted by the authority aforesaid,* that no person shall from & after the passing of this act, and during the said term of ten years manufacture any kind of window or plate glass, or glass ware, without the consent and licence of the said Phillips, Walley, Amory, Tudor, Jarvis and Andrews, their associates and assigns or the major part of them first had and obtained for that purpose; and every person so offending shall forfeit and pay the sum of five hundred pounds for each offence to be recovered in an action of debt in any Court proper to try the same by the said Phillips, Walley, Amory, Tudor, Jarvis and Andrews their heirs associates, and assigns, or by any one or more of them, to the use of them, their heirs, associates & assigns:—*provided*, and this act is Persons forbidden to make Glass without the consent of the Proprietors. upon this condition, that the proprietors of the said Penalty, how recovered. Proviso.

Manufacture shall employ annually over and above what they have already expended, a sum not less than two thousand pounds each and every year during the term aforesaid, in the manufacture of window or plate glass as aforesaid.

Premium for making a certain quality of Glass.

Proviso.

*And be it enacted by the authority aforesaid*, that there be allowed and paid out of the Treasury of this Commonwealth to the proprietors of the said Glass works and manufacture the sum of six pence for each and every sheet of Merchantable Window Glass equal in quality to British Crown Glass, *Provided* that each of such sheets shall be at least thirty six inches in diameter, and *provided* that such bounty shall not be paid on a greater number than ten thousand sheets annually, during three years from the passing this act, so as to make thirty thousand sheets in the whole: And this bounty shall continue and be allowed for three years from the passing of this act under the limitation and on the condition before expressed, *provided* the said Proprietors shall annually manufacture at least four thousand sheets of such window glass. And the Governor with the advice of Council upon satisfactory proof being exhibited by said proprietors of such number of whole sheets of Glass being manufactured as is provided by this act, is hereby empowered to draw his Warrant upon the Treasurer of this Commonwealth for the payment of the bounty aforesaid, and said Treasurer is hereby authorized to pay the same to said Proprietors accordingly.

*Approved June 15, 1793.*

### 1793. — Chapter 4.

[May Session, ch. 6.]

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR THE ESTABLISHING ANOTHER TERM FOR HOLDING COURTS OF COMMON PLEAS AND GENERAL SESSIONS OF THE PEACE IN THE COUNTY OF WORCESTER PASSED MARCH TWENTY EIGHTH SEVENTEEN HUNDRED & NINETY THREE.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same*, that all actions and recognizances duly commenced and taken previous to the passing of this Act to be heard tried and returned to the Courts of Common Pleas and General Sessions of the Peace to be holden in said County, on the last Tuesday of August next, shall be returned to,

Actions, &c. to be carried on notwithstanding the June term.



entered sustained and acted upon by said Courts respectively, at their said term in August next, in the same way and manner in every respect as by law they might have been returned entered sustained and acted upon, had not the said June term been instituted as aforesaid; and all attachments made on any actions commenced and all recognizances taken as aforesaid, shall be holden good and valid in Law, the intervention of the said June term in consequence of the said act notwithstanding.

*Approved June 17, 1793.*

### 1793. — Chapter 5.

[May Session, ch. 5.]

AN ACT FOR ESTABLISHING AN ACADEMY IN THE TOWN OF WESTFIELD IN THE COUNTY OF HAMPSHIRE BY THE NAME OF WESTFIELD ACADEMY.

*Whereas the encouragement of Literature among the rising generation has ever been considered by the wise and good, as an object of the most serious attention, and as the prosperity and happiness of a free people greatly depend upon the advantages arising from a pious & learned education; and it appears that the said town of Westfield have voted a sum of Six hundred pounds for the purpose of erecting & supporting an Academy in the Town of Westfield in the said County of Hampshire; to effect which generous design more fully it is necessary to establish a body Politic —*

Preamble.

*Be it therefore enacted by the Senate and House of Representative[s] in General Court assembled and by the authority of the same, that there be and hereby is established, in the town of Westfield in the County of Hampshire, an Academy, by the name of Westfield Academy for the purpose of promoting piety religion and morality & for the instruction of Youth in such languages & such of the liberal arts & sciences, as the trustees shall direct: And Honble. William Shephard, Samuel Fowler, & Samuel Mather Esqrs., Wareham Parke, David Mosely, & Abel Whitiney Esqrs., Revd. Joseph Lathrop, Revd. Solomon Williams, Revd. Noah Atwater, Revd. Bezaleel Howard, Revd. Isaac Clinton, Revd. Joseph Badger, Honble. Samuel Lyman Esqr., Justin Ely Esqr. & Jonathan Judd junr. Esqr., be & they hereby are nominated and appointed Trustees of said Academy; and they are*

Academy  
established.

Trustees  
appointed.

hereby incorporated into a body politic by the name of the Trustees of Westfield Academy & they and their Successors shall be & continue a body politic, by the same name forever.

Property  
confirmed to  
said Trustees.

*And be it further enacted* that all the lands & monies, which for the purpose aforesaid, shall be hereafter given granted & assigned unto the said trustees, shall be confirmed to the said trustees, & their Successors in that trust for the uses which in such instruments shall be expressed; *Provided* such uses shall not be repugnant to the design of this Act: and they the said trustees shall be further capable of having holding & taking in fee simple, by gift, grant devise or otherwise, any lands tenements or other estate real or personal (provided the annual income of the whole shall not exceed two thousand pounds) & shall apply the rents issues and profits thereof in such a manner as that the design of the Institution may be most effectually promoted.

Proviso.

Power to hold  
property.

Power and  
duty of the  
Trustees.

*Be it further enacted*, that the said Trustees shall have full power from time to time as they shall determine, to elect such Officers of the said Academy, as they shall judge necessary and convenient, & fix the tenures of their respective offices, to remove any trustee[s] from the corporation when in their opinion he shall be incapable through age or otherwise of discharging the duties of his office; to fill all vacancies by electing such persons for trustees as they shall judge best; to determine the times and places of their meetings, the manner of notifying the said Trustees, the method of electing or removing Trustees, to ascertain the powers and duties of their several Officers; to elect preceptors & ushers of said Academy, to determine the duties and tenures of their offices, to ordain reasonable rules orders and [&] bye laws not repugnant to the laws of this Commonwealth with reasonable penalties for the good gover[n]ment of the Academy & ascertain the qualifications of the Students requisite to their admission & the same rules, orders & bye laws at their pleasure to repeal.

Common Seal.

*Be it further enacted* that the Trustees of the said Academy may have one common seal, which they may change at pleasure & that all deeds signed & delivered by the Treasurer or Secretary of said trustees by their order & sealed with their seal shall when made in their name be considered as their deed & as such be duly executed &

valid in law; and that the said Trustees of said Academy may sue and be sued in all actions real personal and mixed & prosecute and defend the same unto final judgment & execution by the name of the Trustees of Westfield Academy. Trustees may sue or be sued.

*And be it further enacted*, that the number of the said Trustees and their Successors shall not at any one time be more than fifteen nor less than nine, seven of whom shall constitute a quorum for transacting bussiness, and a majority of the members present at any legal meeting, shall decide all questions proper to come before the Trustees; that a major part shall be laymen, & respectable freeholders, also that a major part shall consist of men who are not inhabitants of the said Town of Westfield. Number of the Trustees limited.

*And be it further enacted* that Samuel Fowler Esqr. be and he hereby is authorized to fix the time and place for holding the first meeting of the said Trustees and to notify them thereof. Samuel Fowler, Esq. authorized.

*Approved June 17, 1793.*

## 1793. — Chapter 6.

[May Session, ch. 7.]

AN ACT FOR INCORPORATING THE EAST PRECINCT OF THE TOWN OF YARMOUTH IN THE COUNTY OF BARNSTABLE INTO A SEPARATE TOWN BY THE NAME OF DENNIS.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same* that the lands contained within the East Precinct in Yarmouth as the same is now bounded with the Inhabitants dwelling thereon be & they hereby are incorporated into a Town by the name of Dennis, and the said Town of Dennis is hereby invested with all the powers privileges & immunities to which Towns within this Commonwealth are or may be intitled agreeably to the Constitution and Laws of this Commonwealth. Dennis incorporated.

*And be it further enacted by the authority aforesaid*, that the Inhabitants of the said Town of Dennis shall pay all the arrears of Taxes which have been assessed on them by the Town of Yarmouth or which may be assessed on them from this time to the first of March next, and shall take and support their proportionable part of all the poor persons which now are in said Town of Yarmouth or which may be therein on the first day of March next, and also shall support any poor person or persons who have Inhabitants subject to taxes assessed. To support their poor.

heretofore been Inhabitants of that part of Yarmouth which is now Dennis, and shall not have obtained a legal settlement elsewhere, (when they become chargeable,) and such poor person or persons, may be returned to the Town of Dennis, in the same way and manner that Paupers may by law be returned to the Town or District to which they belong, and the Inhabitants of the said Town of Dennis shall pay their proportion of all debts now due from the Town of Yarmouth or which may be due on the first day of March next and shall be intitled to receive their proportion of all monies and debts now due to the said Town of Yarmouth or which may be due the first day of March next and also their proportionable part of all other property of the said Town of Yarmouth of every kind and description whatever.

To pay proportion of debts, &c.

Atherton Hall, Esq. to issue warrant.

*And be it further enacted by the Authority aforesaid* that Atherton Hall Esqr. be and he is hereby authorized to issue his warrant directed to some principal Inhabitant of said Town of Dennis requiring him to warn and give notice to the Inhabitants of the said Town to assemble and meet at some suitable time at the Meeting house in said Town of Dennis some time in the month of March or April next to choose all such Officers as Towns are required to choose at their annual Town Meeting in the Month of March or April annually.

*Approved June 19, 1793.*

## 1793. — Chapter 7.

[May Session, ch. 8.]

AN ACT TO INCORPORATE THE INHABITANTS OF A PLANTATION KNOWN BY THE NAME OF NUMBER FOUR INTO A TOWN BY THE NAME OF PARIS.

*Be it enacted by the Senate and [ & ] House of Representatives in General Court assembled and by the authority of the same,* that the Plantation known by the name of Number four in the County of Cumberland bounded on all parts by the Commonwealth Lands as follows *vizt.*; beginning at a hemlock tree two hundred & fifty two chains from the south corner of Sylvester Canada, thence north fourteen degrees west seven hundred & seventy seven chains to a stake and stones, thence south sixty eight degrees & thirty minutes west three hundred & sixty chains to a stake and stones, thence south fourteen degrees east

Paris incorporated.

seven hundred & seventy seven chains to a stake & stones, thence north sixty eight degrees & thirty minutes East three hundred & eight chains to the Hemlock Tree first mentioned, with the Inhabitants thereon, be and hereby is incorporated into a Town by the name of Paris, with all the powers privileges & immunities that Towns within this Commonwealth do or may enjoy.

*And be it enacted by the Authority aforesaid, that Isaac Parsons Esqr. be and hereby is empowered to issue his warrant directed to some principal Inhabitant of said Town qualified as the Law directs to assemble and meet at some suitable time and place in said Town & choose such Officer or Officers as Towns by Law are empowered to choose at their annual meeting in the month of March or April.*

Isaac Parsons,  
Esq. to issue  
warrant.

*Approved June 20, 1793.*

### 1793. — Chapter 8.

[May Session, ch. 9.]

AN ACT REPEALING PART OF AN ACT, INTITLED, "AN ACT FOR DIVIDING THE COUNTY OF SUFFOLK, AND ESTABLISHING A NEW COUNTY BY THE NAME OF NORFOLK," PASSED MARCH THE TWENTY SIXTH, ANNO DOMINI, ONE THOUSAND SEVEN HUNDRED AND NINETY THREE.

*Be it Enacted by the Senate and House of Representatives in General Court [Court] assembled, and by the authority of the same, that the aforesaid act, so far as it respects the towns of Hingham and Hull, is hereby repealed, and made null and void.*

Act establishing  
Norfolk Co.  
repealed, in  
part.

*Approved June 20, 1793.*

### 1793. — Chapter 9.

[May Session, ch. 10.]

AN ACT IN ADDITION TO AN ACT INTITLED "AN ACT FOR INCORPORATING THAT PART OF THE TOWN OF SWANZEY KNOWN BY THE NAME OF SHEWAMET PURCHASE IN THE COUNTY OF BRISTOL INTO A SEPARATE TOWN BY THE NAME OF SOMERSET."

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same, that all persons who before the passing said Act were inhabitants of said Town of Swanzeay or were there liable to be maintained and who gained their settlement either by birth or otherwise in that part of Swanzeay which now constitutes the Town of Somerset, in case they or*

Concerning cer-  
tain poor of  
Swanzeay.



To be supported  
by the town of  
Somerset.

any of them have already or may hereafter become chargeable for support, shall be considered as the proper poor of said Town of Somerset any thing in said Act to the contrary notwithstanding. *Approved June 20, 1793.*

### 1793. — Chapter 9A.\*

[May Session.]

AN ACT FOR APPORTIONING & ASSESSING A TAX OF TWENTY THOUSAND AND EIGHT POUNDS SEVENTEEN SHILLINGS & SIX PENCE TO ANSWER THE EXIGENCIES OF GOVERNMENT; AND ALSO THIRTEEN THOUSAND TWO HUNDRED AND SIXTY EIGHT POUNDS AND SIX PENCE TO REPLACE THE SAME SUM DRAWN OUT OF THE TREASURY OF THIS COMMONWEALTH TO PAY THE MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR THEIR ATTENDANCE THE SIX LAST SESSIONS OF THE GENERAL COURT FROM THE TWENTY SIXTH DAY OF JANUARY ONE THOUSAND SEVEN HUNDRED & NINETY ONE TO THE TWENTY EIGHTH DAY OF MARCH ONE THOUSAND SEVEN HUNDRED AND NINETY THREE, INCLUSIVE.

*Whereas it is necessary to answer the exigencies of Government that the Treasury of this Commonwealth should be supplied with the sum of Twenty thousand & eight pounds seventeen shillings and six pence.*

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that each town District, Plantation & other place herein after named within this Commonwealth shall be assessed and pay the several sums with which they stand respectively charged in the following Schedule Viz.*

\* Not printed in session pamphlet.

COUNTY OF SUFFOLK.

TOWNS.	Representatives' Pay.	Proportion of £.20,000 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
BOSTON	457 0 6	1836 13 9	2293 14 3
Roxbury	58 0 6	160 12 6	218 13 0
Dorchester	74 18 8	124 7 6	199 6 0
Stoughton	76 6 0	74 7 1	130 13 1
Hingham	77 7 0	95 0 10	172 7 10
Dedham	57 12 0	94 8 4	152 0 4
Medfield	33 9 0	39 6 3	72 15 3
Dover	23 9 6	27 12 6	51 2 0
Wrentham	78 15 6	80 4 7	159 0 1
Weymouth	28 13 6	67 4 2	95 17 8
Milton	72 14 0	60 3 9	132 17 9
Quincy	42 5 8	56 17 6	99 3 2
Brantree	12 8 3	53 18 4	66 6 7
Franklin	77 11 0	56 14 2	134 5 2
Needham	9 0 0	54 6 8	63 6 8
Brookline	31 1 0	51 18 4	82 19 4
Medway	54 14 6	54 3 9	108 18 3
Walpole	52 0 6	39 12 6	91 13 0
Sharon	29 9 0	35 11 8	65 0 8
Chelsea	29 2 0	38 1 8	67 3 8
Coburnett	29 16 0	37 11 3	67 7 3
Bellingham	37 8 0	30 10 0	67 18 0
Foxborough	36 15 6	27 0 0	63 15 6
Hull	11 9 1	6 15 0	6 15 0
Randolph	1491 6 6	49 0 0	60 9 1
		3252 2 1	4743 8 7
Two thousand two hundred & Ninety three pounds fourteen shillings & three pence			
Two hundred & eighteen pounds thirteen shillings			
One hundred & ninety nine pounds six shillings			
One hundred & fifty pounds thirteen shillings and one penny			
One hundred & seventy two pounds seven shillings & ten pence			
Seventy two pounds and four pence			
Fifty one pounds fifteen shillings & three pence			
Fifty one pounds two shillings			
One hundred & fifty nine pounds & one penny			
Ninety five pounds seventeen shillings & eight pence			
One hundred thirty two pounds seventeen shillings & nine pence			
Ninety nine pounds three shillings and two pence			
Sixty six pounds six shillings and seven pence			
One hundred and thirty four pounds five shillings & two pence			
Sixty three pounds six shillings & eight pence			
Eighty two pounds nineteen shillings & four pence			
One hundred & eight pounds eighteen shillings & three pence			
Ninety one pounds thirteen shillings			
Sixty five pounds and eight pence			
Sixty seven pounds three shillings and eight pence			
Sixty seven pounds seven shillings and three pence			
Sixty seven pounds eighteen shillings			
Sixty three pounds fifteen shillings and six pence			
Six pounds fifteen shillings			
Sixty pounds nine shillings & one penny			
Four thousand seven hundred & forty three pounds eight shillings & seven pence			

## COUNTY OF ESSEX.

TOWNS.	Representatives' Pay.	Proportion of £. 20,048 17 6		Total.
	£. s. d.	£. s. d.		£. s. d.
<i>Salern</i> . . . . .	147 1 6	468 5 0	Six hundred and fifteen pounds six shillings and six pence	615 6 6
<i>Newburyport</i> . . . . .	163 2 0	354 5 0	Five hundred and seventeen pounds seven shillings	517 7 0
<i>Ipswich</i> . . . . .	112 2 6	200 2 6	Three hundred and twelve pounds five shillings	312 5 0
<i>Newbury</i> . . . . .	104 6 0	186 2 6	Two hundred & ninety pounds eight shillings & six pence	290 8 6
<i>Danvers</i> . . . . .	79 2 0	113 5 0	One hundred & ninety two pounds seven shillings	192 7 0
<i>Beverly</i> . . . . .	106 16 6	154 3 4	One hundred and Sixty pounds nineteen shillings and ten pence	260 19 10
<i>Andover</i> . . . . .	68 15 0	162 16 8	Two hundred and thirty one pounds eleven shillings & eight pence	231 11 8
<i>Marblehead</i> . . . . .	100 11 6	159 11 8	Two hundred & sixty pounds three shillings and two pence	260 3 2
<i>Gloicester</i> . . . . .	76 2 6	150 16 8	Two hundred and twenty six pounds nineteen shillings & two pence	226 19 2
<i>Haverhill</i> . . . . .	95 12 0	98 0 10	One hundred & ninety three pounds twelve shillings and ten pence	193 12 10
<i>Lynn</i> . . . . .	60 2 7	77 15 10	One hundred and thirty seven pounds eighteen shillings & five pence	137 18 5
<i>Lynnfield</i> . . . . .	16 19 11	22 0 10	Thirty nine pounds and nine pence	39 0 9
<i>Randley</i> . . . . .	72 16 6	86 12 6	One hundred & fifty nine pounds nine shillings	150 9 0
<i>Salisbury</i> . . . . .	49 12 0	76 14 2	One hundred and twenty six pounds six shillings and two pence	126 6 2
<i>Almsbury</i> . . . . .	72 6 0	65 0 10	One hundred and thirty seven pounds six shillings & ten pence	137 6 10
<i>Bradford</i> . . . . .	30 12 0	70 5 0	One hundred pounds seventeen shillings	100 17 0
<i>Borford</i> . . . . .	72 5 6	50 14 2	One hundred & twenty two pounds nineteen shillings & eight pence	122 19 8
<i>Methuen</i> . . . . .	71 18 0	55 15 10	One hundred & twenty seven pounds thirteen shillings & ten pence	127 13 10
<i>Topsfield</i> . . . . .	38 2 6	44 16 8	Eighty two pounds nineteen shillings & two pence	82 19 2
<i>Middleton</i> . . . . .	.	32 12 6	Thirty two pounds twelve shillings and six pence	32 12 6
<i>Wenham</i> . . . . .	18 1 6	22 10 0	Forty pounds eleven shillings & six pence	40 11 6
<i>Manchester</i> . . . . .	.	27 3 4	Twenty seven pounds three shillings and four pence	27 3 4
	1556 8 0	2679 10 10		4235 18 10

COUNTY OF MIDDLESEX.

	£.	s.	d.		£.	s.	d.
Cambridge .	58	19	6	Two hundred & fourteen pounds three shillings & eight pence .	214	3	8
Marlborough .	80	0	0	One hundred & sixty six pounds .	166	0	0
Woburn .	67	5	6	One hundred & forty two pounds thirteen shillings .	142	13	0
Groton .	60	8	6	One hundred & thirty three pounds thirteen shillings & six pence .	133	13	6
Reading .	77	6	6	One hundred & fifty three pounds eight shillings & two pence .	153	8	2
Framingham .	69	14	6	One hundred & forty four pounds four shillings & one penny .	144	4	1
Newton .	34	1	6	One hundred & three pounds twelve shillings & four pence .	103	12	4
Concord .	69	8	6	One hundred & forty four pounds eighteen shillings & six pence .	144	18	6
Acton .	33	4	4	Sixty seven pounds eight shillings & six pence .	67	8	6
Billericay .	25	19	2	Fifty two pounds fourteen shillings & two pence .	52	14	2
Medford .	75	12	0	One hundred & thirty five pounds fifteen shillings & four pence .	135	15	4
Charlestown .	67	0	0	One hundred & twenty four pounds eight shillings & four pence .	124	8	4
Sudbury .	78	3	0	One hundred & seventy six pounds three shillings & four pence .	176	3	4
Chelmsford .	68	4	6	One hundred and thirty pounds fifteen shillings & six pence .	130	15	6
Watertown .	73	15	0	One hundred & twenty seven pounds one shilling & two pence .	127	1	2
Westford .	52	5	0	One hundred and thirty seven pounds sixteen shillings & eight pence .	137	16	8
Stow .	19	9	6	One hundred & seven pounds .	107	0	0
Borborough .	9	1	0	Fifty five pounds eleven shillings & two pence .	55	11	2
Waltham .	66	14	6	Twenty five pounds fifteen shillings & two pence .	25	15	2
Hopkinton .	11	2	0	One hundred & twenty five pounds sixteen shillings & two pence .	125	16	2
Lexington .	78	6	6	Sixty one pounds seven shillings .	61	7	0
Holliston .	27	6	0	One hundred thirty five pounds nine shillings & ten pence .	135	9	10
Malden .	54	12	6	One hundred & twenty seven pounds nineteen shillings & ten pence .	127	19	10
Pepperell .	46	1	6	Seventy five pounds six shillings .	75	6	0
East Sudbury .	19	16	0	One hundred pounds fifteen shillings & five pence .	100	15	5
Sherburne .	62	17	0	Ninety pounds eight shillings and two pence .	90	8	2
Dracut .	49	0	0	Sixty one pounds eight shillings & six pence .	61	8	6
Littleton .	51	4	6	One hundred and three pounds five shillings & four pence .	103	5	4
Dunstable .	.	.	.	Ninety two pounds eleven shillings & eight pence .	92	11	8
Tingeborough .	.	.	.	Eighty nine pounds eleven shillings & two pence .	89	11	2
Lincoln .	27	8	0	Twenty three pounds eight shillings and four pence .	23	8	4
	.	.	.	Twenty four pounds thirteen shillings and four pence .	24	13	4
	.	.	.	Sixty one pounds nine shillings and eight pence .	61	9	8

## COUNTY OF MIDDLESEX — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of £20,000 17 6.	Total.
	£. s. d.	£. s. d.	£. s. d.
<i>Twickenham</i>	42 10 6	36 16 8	79 7 2
<i>Beaford</i>	.	33 15 0	33 15 0
<i>Townsend</i>	43 6 6	34 13 4	77 19 10
<i>Wilmington</i>	55 17 6	28 5 0	84 2 6
<i>Natick</i>	.	27 3 4	27 3 4
<i>Ashby</i>	.	32 0 0	32 0 0
<i>Shirley</i>	.	24 10 0	24 10 0
<i>Stoneham</i>	.	17 10 0	17 10 0
	1799 12 6	2093 8 4	3893 0 10

## COUNTY OF HAMPSHIRE.

	£. s. d.	£. s. d.	£. s. d.
<i>Springfield</i>	23 8 0	72 10 0	95 18 0
<i>Hafield</i>	24 2 6	44 6 8	68 9 2
<i>Hadley</i>	44 19 6	48 18 4	93 17 10
<i>Westfield</i>	43 15 6	71 0 0	114 15 6
<i>Wilbraham</i>	7 2 0	60 12 1	67 14 1
<i>Stelburne</i>	45 2 6	37 16 8	82 19 2
<i>Colburn</i>	58 11 0	44 7 6	102 18 6
<i>South Hadley</i>	.	35 14 7	35 14 7
<i>Greenfield</i>	66 13 6	59 19 2	126 12 8
<i>Anherst</i>	38 14 6	53 0 10	91 15 4
<i>New Salem</i>	40 16 0	49 19 2	90 15 2
<i>Palmer</i>	21 16 6	32 17 6	54 14 0
<i>Chester</i>	.	33 2 6	33 2 6



Buckland	26	10	0	17	12	6	Forty four pounds two shillings & six pence	44	2	6
Heath	.	.	.	13	12	1	Thirteen pounds twelve shillings & one penny	13	12	1
Brimfield	.	.	.	57	10	0	One hundred & nineteen pounds four shillings	119	4	0
South Hampton	.	.	.	34	3	4	Fifty two pounds three shillings & ten pence	52	3	10
Montgomery	.	.	.	13	18	4	Thirteen pounds eighteen shillings & four pence	13	18	4
Goshen.	.	.	.	24	12	6	Twenty four pounds twelve shillings & six pence.	24	12	6
Ludlow.	.	.	.	18	19	2	Eighteen pounds nineteen shillings & two pence	18	19	2
Shutesbury	.	.	.	19	13	4	Nineteen pounds thirteen shillings & four pence	19	13	4
Montague	.	.	.	33	17	6	Forty four pounds nineteen shillings & six pence.	44	19	6
Cunnington	.	.	.	28	16	8	Forty four pounds eleven shillings & seven pence	44	11	7
Ashfield	.	.	.	55	2	6	Ninety six pounds two shillings & six pence.	96	2	6
Barnardston.	.	.	.	41	0	0	Forty four pounds & ten pence	44	0	10
Greenwich.	.	.	.	23	19	2	Forty four pounds & one penny	44	0	1
East Hampton	.	.	.	38	0	0	One hundred thirty two pounds twelve shillings & three pence	132	12	3
Whately	.	.	.	31	5	0	Nine pounds eight shillings & four pence	9	8	4
Northampton	.	.	.	27	5	0	Twenty nine pounds five shillings	29	5	0
Russell	.	.	.	94	5	10	Seventeen pounds	17	0	0
South Brimfield	.	.	.	9	8	4	Twelve pounds eighteen shillings & four pence	12	18	4
Wendell	.	.	.	22	15	0	Sixty two pounds two shillings & six pence	62	2	6
Rowe	.	.	.	17	0	0	One hundred & sixteen pounds two shillings & six pence	166	2	6
Southwick	.	.	.	12	18	4	Fifty eight pounds & four pence	58	0	4
Ware	.	.	.	29	0	0	Sixty seven pounds twelve shillings & six pence	67	12	4
Deerfield	.	.	.	24	14	2	Seventy three pounds two shillings & six pence	73	2	6
Orange	.	.	.	68	2	6	Nineteen pounds seven shillings & eight pence	19	7	8
Northfield	.	.	.	24	1	8	Thirty nine pounds thirteen shillings & ten pence	39	13	10
Williamsburgh	.	.	.	41	2	6	Seventy seven pounds nine shillings & ten pence	77	9	10
Palham	.	.	.	31	5	10	Forty two pounds eight shillings & eight pence	42	8	8
Sunderland	.	.	.	35	7	6	Twenty pounds twelve shillings & six pence.	20	12	6
Holland	.	.	.	23	2	6	Eighty five pounds two shillings & two pence	85	2	2
Leyden.	.	.	.	15	1	8	One hundred & twenty eight pounds eight shillings & two pence	128	8	2
Warwick	.	.	.	32	2	6				
Granby.	.	.	.	27	16	8				
Middlefield	.	.	.	20	12	6				
Norwich	.	.	.	21	7	6				
Worthington	.	.	.	45	6	8				
Granville	.	.	.	72	19	2				

## COUNTY OF HAMPSHIRE — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of £.20,008 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
Westhampton	.	23 5 0	23 5 0
Leverett	.	19 9 2	19 9 2
Chesterfield	.	41 14 2	76 10 2
Conway	.	67 16 6	114 9 2
Longmeadow	.	34 17 6	66 12 0
Monson	.	47 11 8	91 4 8
Blandford	.	31 13 0	90 3 8
Belchertown.	.	37 19 6	100 14 2
Hawley	.	50 5 0	16 1 8
Charltonmont	.	30 2 0	49 4 6
West Springfield	.	66 0 6	167 3 10
Plainfield	.	8 1 1	22 16 1
	1493 18 6	2247 0 5	3740 18 11

Twenty three pounds five shillings  
 Nineteen pounds nine shillings & two pence .  
 Seventy six pounds ten shillings & two pence .  
 One hundred & fourteen pounds nine shillings & two pence .  
 Sixty six pounds twelve shillings .  
 Ninety one pounds four shillings & eight pence .  
 Ninety pounds three shillings & eight pence .  
 One hundred pounds fourteen shillings & two pence .  
 Sixteen pounds one shilling & eight pence .  
 Forty nine pounds four shillings & six pence .  
 One hundred & sixty seven pounds three shillings & ten pence .  
 Twenty two pounds sixteen shillings & one penny .

## COUNTY OF WORCESTER.

TOWNS.	Representatives' Pay.	Proportion of £.20,008 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
Worcester	.	128 5 10	205 9 4
Lancaster	.	63 8 4	130 14 4
Mendon	.	62 5 0	135 13 6
Brookfield	.	133 7 11	205 15 5
Oxford.	.	39 18 9	95 16 9
Charlton	.	73 7 11	137 17 11
Sutton	.	118 10 5	194 3 5
Leicester	.	51 18 9	101 1 3
Spencer	.	61 12 1	142 14 1

Two hundred & five pounds nine shillings & four pence  
 One hundred & thirty pounds fourteen shillings & four pence .  
 One hundred & thirty five pounds thirteen shillings & six pence .  
 Two hundred & five pounds fifteen shillings & five pence .  
 Ninety five pounds sixteen shillings & nine pence .  
 One hundred thirty seven pounds seventeen shillings & eleven pence .  
 One hundred & ninety four pounds three shillings & five pence .  
 One hundred & one pounds one shilling & three pence .  
 One hundred forty two pounds fourteen shillings & one penny .

Paxton . . . . .	29	4	2	Twenty nine pounds four shillings & two pence . . . . .	29	4	2
Rutland . . . . .	62	5	5	One hundred & eight pounds nine shillings & eleven pence . . . . .	108	9	11
Oakham . . . . .	28	9	7	One hundred & nine pounds sixteen shillings & seven pence . . . . .	109	16	7
Hubbardston . . . . .	37	0	0	Seventy six pounds eight shillings & eight pence . . . . .	76	8	8
New Bramtree . . . . .	44	0	10	One hundred & thirteen pounds twelve shillings & four pence . . . . .	113	12	4
Southborough . . . . .	36	11	8	Seventy six pounds sixteen shillings & eight pence . . . . .	76	16	8
Westborough . . . . .	49	3	4	Seventy one pounds six shillings & ten pence . . . . .	71	6	10
Northborough . . . . .	32	10	10	Sixty six pounds four shillings & four pence . . . . .	66	4	4
Shrewsbury . . . . .	61	17	11	One hundred & twenty five pounds eleven shillings & eleven pence . . . . .	125	11	11
Lanenburg . . . . .	50	18	4	One hundred & sixteen pounds ten shillings & four pence . . . . .	115	10	4
Fitchburg . . . . .	40	3	9	One hundred & fifteen pounds five shillings & three pence . . . . .	116	5	3
Uxbridge . . . . .	60	3	4	Seventy six pounds fifteen shillings & four pence . . . . .	76	15	4
Harvard . . . . .	61	16	3	Seventy nine pounds ten shillings & three pence . . . . .	79	10	3
Dudley . . . . .	40	8	4	One hundred fourteen pounds six shillings & four pence . . . . .	114	6	4
Bottom . . . . .	41	7	1	Fifty pounds five shillings & nine pence . . . . .	50	5	9
Upton . . . . .	33	13	10	Fifty five pounds eighteen shillings, & four pence . . . . .	55	18	4
Sturbridge . . . . .	75	17	6	One hundred & fifty one pounds ten shillings . . . . .	151	10	0
Leominster . . . . .	50	17	1	One hundred & nine pounds nine shillings & seven pence . . . . .	109	9	7
Hardwick . . . . .	69	6	3	One hundred & fifty one pounds & nine pence . . . . .	151	0	9
Holden . . . . .	47	14	2	Ninety five pounds eighteen shillings & eight pence . . . . .	95	18	8
Douglas . . . . .	35	15	0	Seventy seven pounds nine shillings . . . . .	77	9	0
Grafton . . . . .	48	6	3	Ninety seven pounds nine shillings & nine pence . . . . .	97	9	9
Petersham . . . . .	76	0	0	One hundred twenty three pounds twelve shillings & six pence . . . . .	123	12	6
Royalston . . . . .	36	15	0	Sixty one pounds . . . . .	61	0	0
Westminster . . . . .	64	14	2	Ninety one pounds two shillings & eight pence . . . . .	91	2	8
Athol . . . . .	34	11	8	Ninety seven pounds nine shillings & two pence . . . . .	97	9	2
Templeton . . . . .	43	9	2	One hundred pounds sixteen shillings & two pence . . . . .	100	16	2
Princeton . . . . .	64	2	11	Sixty four pounds two shillings & eleven pence . . . . .	64	2	11
Ashburnham . . . . .	29	0	0	Sixty two pounds & six pence . . . . .	62	0	6
Wickenham . . . . .	39	19	2	Thirty nine pounds nineteen shillings & two pence . . . . .	39	19	2
Barre . . . . .	89	12	6	One hundred fifty seven pounds fourteen shillings & six pence . . . . .	157	14	6
Sterling . . . . .	66	10	5	One hundred & thirty eight pounds fourteen shillings & eleven pence . . . . .	138	14	11
Boylston . . . . .	44	9	7	Ninety four pounds three shillings & one penny . . . . .	94	3	1
Western . . . . .	44	4	7	Seventy six pounds two shillings & seven pence . . . . .	76	2	7
Milford . . . . .	37	18	9	Seventy seven pounds five shillings & nine pence . . . . .	77	5	9
Ward . . . . .	26	13	4	Twenty six pounds thirteen shillings & four pence . . . . .	26	13	4

## COUNTY OF WORCESTER — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of £20,000 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
Gerry . . . . .	. . . . .	32 9 7	32 9 7
Northbridge . . . . .	. . . . .	18 8 4	18 8 4
Gardner . . . . .	. . . . .	22 13 4	22 13 4
Berlin . . . . .	4 17 4	22 11 3	27 8 7
	2185 5 6	2544 18 4	4730 3 10

## COUNTY OF BARNSTABLE.

	£. s. d.	£. s. d.	£. s. d.
Barnstable . . . . .	66 11 0	82 5 10	148 16 10
Sandwich . . . . .	12 12 0	69 9 7	82 1 7
Yarmouth . . . . .	69 16 6	65 19 2	135 15 8
Falmouth . . . . .	31 10 0	46 3 4	77 13 4
Harwich . . . . .	4 4 6	49 3 4	53 7 10
Eastham . . . . .	28 16 0	27 2 1	55 18 1
Chatham . . . . .	20 8 0	23 9 2	43 17 2
Wellsfleet . . . . .	9 12 0	21 11 3	31 3 3
Truro . . . . .	29 10 0	20 17 6	50 7 6
Provincetown . . . . .	. . . . .	9 18 4	9 18 4
	273 0 0	415 19 7	688 19 7

COUNTY OF PLIMOUTH.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
Plymouth	67	19	6	One hundred & sixty pounds six shillings & two pence	92	6	8		160	6	2
Bridgewater	76	7	6	Three hundred & three pounds five shillings & ten pence	226	18	4		303	5	10
Middleborough	61	12	0	Two hundred forty six pounds & four pence	184	8	4		246	0	4
Sturte	43	5	0	One hundred & seventy three pounds five shillings	130	0	0		173	5	0
Rochester	77	18	0	One hundred & sixty three pounds fourteen shillings & eight pence	85	16	8		163	14	8
Pembroke	57	2	6	One hundred thirty four pounds four shillings & two pence	77	1	8		134	4	2
Marshfield	50	14	6	One hundred & twenty pounds thirteen shillings & eight pence	69	19	2		120	13	8
Abington	55	14	0	One hundred & twenty five pounds seven shillings & nine pence	69	13	9		125	7	9
Hanover	32	12	0	Seventy one pounds thirteen shillings & eight pence	39	1	8		71	13	8
Kingston	71	9	6	One hundred & fourteen pounds fifteen shillings & nine pence	43	6	3		114	15	9
Plimpton	37	4	0	Seventy pounds six shillings & eleven pence	33	2	11		70	6	11
Carver	18	12	0	Forty eight pounds eighteen shillings & eight pence	30	6	8		48	18	8
Hatfax	3	5	0	Thirty two pounds five shillings & ten pence	29	0	10		32	5	10
Wareham	35	3	6	Sixty two pounds twelve shillings & three pence	27	8	9		62	12	3
Dorchester	44	19	6	Ninety six pounds four shillings & one penny	51	4	7		96	4	1
	733	18	6		1189	16	3		1923	14	9

COUNTY OF DUKES COUNTY.

	£.	s.	d.		£.	s.	d.
Edgarton	41	2	0	Seventy two pounds fifteen shillings & four pence	31	13	4
Chatham	9	19	6	Fifty eight pounds eighteen shillings & eight pence	48	19	2
Tisbury	4	16	0	Thirty three pounds seventeen shillings & eight pence	29	1	8
	55	17	6		109	14	2
					165	11	8



## COUNTY OF NANTUCKET.

TOWNS.	Representatives' Pay.	Proportion of £20,008 17 6	One hundred & eighty one pounds fourteen shillings & five pence	Total.
	£. s. d.	£. s. d.		£. s. d.
Sherburne . . . . .	48 9 0	133 5 5		181 14 5

## COUNTY OF BRISTOL.

	£. s. d.	£. s. d.		£. s. d.
Taunton . . . . .	82 15 6	124 5 10	Two hundred & seven pounds one shilling & four pence . . . . .	207 1 4
Rehoboth . . . . .	69 18 6	140 0 0	Two hundred & nine pounds eighteen shillings & six pence . . . . .	209 18 6
Swansey . . . . .	66 6 6	50 4 2	One hundred & sixteen pounds ten shillings & eight pence . . . . .	116 10 8
Dartmouth . . . . .	79 16 6	97 9 2	One hundred & seventy seven pounds five shillings & eight pence . . . . .	177 5 8
Norton . . . . .	27 10 6	60 10 0	Eighty eight pounds & six pence . . . . .	88 0 6
Mansfield . . . . .	24 17 0	34 17 6	Fifty nine pounds fourteen shillings . . . . .	59 14 6
Attleborough . . . . .	43 8 6	92 18 9	One hundred & thirty six pounds seven shillings & three pence . . . . .	136 7 3
Dighton . . . . .	21 11 6	57 0 0	Seventy eight pounds eleven shillings & six pence . . . . .	78 11 6
Free town . . . . .	29 17 6	68 0 0	Ninety seven pounds seventeen shillings & six pence . . . . .	97 17 6
Raynham . . . . .	28 14 6	39 17 11	Sixty eight pounds twelve shillings & five pence . . . . .	68 12 5
Easton . . . . .	57 17 6	48 6 3	One hundred & six pounds three shillings & nine pence . . . . .	106 3 9
Berkley . . . . .	12 13 6	29 5 0	Forty one pounds eighteen shillings & six pence . . . . .	41 18 6
New Bedford . . . . .	46 15 0	119 3 4	One hundred & nineteen pounds three shillings & four pence . . . . .	119 3 4
Westport . . . . .	30 14 0	78 13 4	One hundred & twenty five pounds eight[een] shillings & four pence . . . . .	125 8 4
Somerset . . . . .		39 0 0	Sixty nine pounds fourteen shillings . . . . .	69 14 0
	622 16 6	1079 11 3		1702 7 9

COUNTY OF BERKSHIRE.

	£.	s.	d.	£.	s.	d.		£.	s.	d.
Sheffield	71	6	0	75	11	3	One hundred & forty six pounds seventeen shillings & three pence	146	17	3
Great Barrington	13	19	0	54	4	7	Sixty eight pounds three shillings & seven pence	68	3	7
Stockbridge	45	17	6	58	7	1	One hundred & four pounds four shillings & seven pence	104	4	7
Richmond	53	15	0	51	0	5	One hundred & four pounds fifteen shillings & five pence	104	15	5
Lenox	41	12	0	44	0	0	Eighty five pounds twelve shillings	85	12	0
Lanesborough	46	17	0	60	6	8	One hundred & seven pounds three shillings & eight pence	107	3	8
Williamstown	59	9	0	63	10	10	One hundred & twenty two pounds nineteen shillings & ten pence	122	19	10
Adams	48	19	0	44	3	4	Ninety three pounds two shillings & four pence	93	2	4
Egremont	64	4	6	27	0	0	Ninety one pounds four shillings & six pence	91	4	6
Becket	5	10	6	26	7	11	Thirty one pounds eighteen shillings & five pence	31	18	5
West Stockbridge	47	9	0	33	0	10	Eighty pounds nine shillings & ten pence	80	9	10
Dalton	.	.	.	19	12	1	Nineteen pounds twelve shillings & one penny	19	12	1
Alford	.	.	.	20	16	8	Twenty pounds sixteen shillings & eight pence	20	16	8
New Ashford	10	11	0	9	10	0	Twenty pounds one shilling	20	1	0
New Marlborough	67	0	0	51	7	6	One hundred & eighteen pounds seven shillings & six pence	118	7	6
Tyringham	38	12	0	48	0	10	Eighty six pounds twelve shillings & ten pence	86	12	10
Loudon	.	.	.	9	18	4	Nine pounds eighteen shillings & four pence	9	18	4
Windsor	55	9	6	22	15	10	Seventy eight pounds five shillings & two pence	78	5	2
Partridgefield	41	5	0	30	16	8	Seventy two pounds one shilling & eight pence	72	1	8
Hancock	43	18	0	28	11	8	Seventy two pounds nine shillings & eight pence	72	9	8
Lee	32	1	6	40	11	3	Seventy two pounds twelve shillings & nine pence	72	12	9
Washington	10	4	0	18	4	2	Twenty eight pounds eight shillings & two pence	28	8	2
Sandisfield	65	2	0	56	7	6	One hundred & twenty one pounds nine shillings & six pence	121	9	6
Mount Washington	0	16	0	4	16	8	Five pounds twelve shillings & eight pence	5	12	8
Pittsfield	91	19	0	89	11	8	One hundred & eighty one pounds ten shillings & eight pence	181	10	8
Bethlehem	1	8	0	6	11	8	Seven pounds nineteen shillings & eight pence	7	19	8
Cheshire	.	.	.	43	10	0	Forty three pounds ten shillings	43	10	0
1100 Acres adjacent to Sandisfield	.	.	.	4	10	10	Four pounds ten shillings & ten pence	4	10	10
	957	4	6	1043	6	3		2000	10	9

## COUNTY OF YORK.

TOWNS.	Representatives' Pay.	Proportion of £20,000 17 6		Total.
	£. s. d.	£. s. d.		£. s. d.
York . . . . .	63 15 0	114 0 0	One hundred seventy seven pounds fifteen shillings	177 15 0
Berwick . . . . .	76 0 6	157 0 0	Two hundred thirty three pounds and six pence . . . . .	233 0 6
Wells . . . . .	59 9 0	124 0 0	One hundred & eighty three pounds nine shillings . . . . .	183 9 0
Arundel . . . . .	65 1 0	57 0 0	One hundred and twenty two pounds one shilling . . . . .	122 1 0
Bideford . . . . .	39 10 6	50 0 0	Eighty nine pounds ten shillings & six pence . . . . .	89 10 6
Pepperelboro' . . . . .	64 10 0	50 0 0	One hundred fourteen pounds ten shillings . . . . .	114 10 0
Buxton . . . . .	65 11 6	47 13 4	One hundred and thirteen pounds four shillings & ten pence . . . . .	113 4 10
Sandford . . . . .	.	45 0 0	Forty five pounds . . . . .	45 0 0
Parsonsfield . . . . .	.	24 0 0	Twenty four pounds . . . . .	24 0 0
Coxhall . . . . .	10 4 0	23 11 8	Thirty three pounds fifteen shillings & eight pence . . . . .	33 15 8
Fryeburgh . . . . .	27 7 0	21 0 0	Forty eight pounds seven shillings . . . . .	48 7 0
Waterborough . . . . .	10 10 0	25 0 0	Thirty five pounds ten shillings . . . . .	35 10 0
Linington . . . . .	.	20 0 0	Twenty pounds . . . . .	20 0 0
Limerick . . . . .	.	16 6 8	Sixteen pounds six shillings and eight pence . . . . .	16 6 8
Littlefalls . . . . .	.	20 0 0	Twenty pounds . . . . .	20 0 0
Francisborough . . . . .	.	8 3 4	Eight pounds three shillings & four pence . . . . .	8 3 4
Brownfield . . . . .	.	6 6 8	Six pounds six shillings and eight pence . . . . .	6 6 8
Kittery . . . . .	78 16 6	119 10 0	One hundred & ninety eight pounds six shillings & six pence . . . . .	198 6 6
Washington . . . . .	.	7 6 8	Seven pounds six shillings and eight pence . . . . .	7 6 8
Shapleigh . . . . .	.	27 0 0	Twenty seven pounds . . . . .	27 0 0
Lebanon . . . . .	43 19 0	32 0 0	Seventy five pounds nineteen shillings . . . . .	75 19 0
Studbury Canada . . . . .	.	6 16 8	Six pounds sixteen shillings & eight pence . . . . .	6 16 8
	604 14 0	1001 15 0		1606 9 0

COUNTY OF CUMBERLAND.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
Portland	70	16	6	One hundred seventy one pounds six shillings & six pence	100	10	0	One hundred & thirty seven pounds fifteen shillings & ten pence	171	6	6
Scarborough	45	12	6	One hundred & thirty nine pounds twelve shillings & four pence	92	3	4	One hundred & thirty nine pounds twelve shillings & four pence	137	15	10
Falmouth	43	19	0	One hundred & fifty pounds eighteen shillings	95	13	4	One hundred & fifty pounds eighteen shillings	139	12	4
Gorham	89	8	0	One hundred & forty six pounds seven shillings	61	10	0	One hundred & forty six pounds seven shillings	150	18	0
No. Yarmouth	67	2	0	Ninety four pounds seven shillings & eight pence	79	5	0	Ninety four pounds seven shillings & eight pence	146	7	0
Cape Elizabeth	52	11	0	One hundred pounds, three shillings & ten pence	41	16	8	One hundred pounds, three shillings & ten pence	94	7	8
Brunswick	53	10	6	One hundred & one pounds fifteen shillings & four pence	46	13	4	One hundred & one pounds fifteen shillings & four pence	100	3	10
Freeport	48	17	0	One hundred & nine pounds eight shillings and four pence	52	18	4	One hundred & nine pounds eight shillings and four pence	101	15	4
New Gloucester	73	5	0	Ninety six pounds fifteen shillings & four pence	36	3	4	Ninety six pounds fifteen shillings & four pence	109	8	4
Harpwell	62	7	0	Thirty five pounds six shillings & eight pence	34	8	4	Thirty five pounds six shillings & eight pence	96	15	4
Windham				Twenty four pounds ten shillings	35	6	8	Twenty four pounds ten shillings	35	6	8
Standish				Twenty pounds six shillings & eight pence	24	10	0	Twenty pounds six shillings & eight pence	24	10	0
Gray				Twenty four pounds	20	6	8	Twenty four pounds	20	6	8
Durham				Nineteen pounds eleven shillings and eight pence	24	0	0	Nineteen pounds eleven shillings and eight pence	24	0	0
Bakerstown				Twenty pounds	19	11	8	Twenty pounds	19	11	8
Turner				Ten pounds fifteen shillings	20	0	0	Ten pounds fifteen shillings	20	0	0
Hebron				Eight pounds eleven shillings & eight pence	10	15	0	Eight pounds eleven shillings & eight pence	10	15	0
Buckfield				Nine pounds sixteen shillings & eight pence	8	11	8	Nine pounds sixteen shillings & eight pence	8	11	8
Olisfield				Eleven pounds eight shillings & four pence	9	16	8	Eleven pounds eight shillings & four pence	9	16	8
Bridgetown				Five pounds eleven shillings & eight pence	11	8	4	Five pounds eleven shillings & eight pence	11	8	4
Planham, No. 4				Five pounds eleven shillings & eight pence	5	11	8	Five pounds eleven shillings & eight pence	5	11	8
Rusfield Gore				Nine pounds fourteen shillings & two pence	5	11	8	Nine pounds fourteen shillings & two pence	5	11	8
Raymond				Five pounds & ten pence	9	14	2	Five pounds & ten pence	9	14	2
Livermore stown				Five pounds & ten pence	5	0	10	Five pounds & ten pence	5	0	10
Phipps Canada				Five pounds & ten pence	5	0	10	Five pounds & ten pence	5	0	10
Butterfield				Five pounds & ten pence	5	0	10	Five pounds & ten pence	5	0	10
Peacock				Five pounds & ten pence	5	0	10	Five pounds & ten pence	5	0	10
	607	8	6		866	9	2		1473	17	8

## COUNTY OF LINCOLN.

TOWNS.	Representatives' Pay.	Proportion of £.20,000 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
Poynalbrough	104 0 0	81 2 11	185 2 11
Georgetown	46 5 6	57 8 4	103 13 10
Bristol	14 8 0	64 19 7	79 7 7
Woolwich	70 3 0	38 0 5	108 3 5
Hallowell	64 17 6	52 4 2	117 1 8
Bath	37 13 6	40 0 0	77 13 6
New Castle	18 3 6	33 15 5	51 18 11
Waldborough	41 8 6	46 0 5	87 8 11
Vassalborough	63 17 6	25 0 10	88 18 4
Winthrop	33 7 5	22 13 4	57 0 9
Pittston	28 13 0	28 0 0	56 13 0
Boothbay	58 12 0	35 1 8	73 13 8
Topsham	54 3 0	32 0 0	86 3 0
Edgecomb	.	26 1 8	26 1 8
Bowdonham	.	23 12 6	23 12 6
Winstor	44 0 6	24 16 8	68 17 2
Thomaston	47 18 0	28 5 10	76 3 10
Warren	.	27 10 0	27 10 0
Sidney	.	23 10 0	23 10 0
Reading	24 18 1	17 13 4	42 11 5
Cushing	26 2 0	25 0 0	51 2 0
Nobleborough	.	17 9 2	17 9 2
Cannan	.	13 0 0	13 0 0
Bowdon	.	34 12 6	34 12 6
Noridgewick	.	11 0 10	11 0 10
Greene	.	13 5 10	13 5 10
Fairfield	.	15 15 10	15 15 10
Union	.	10 12 11	10 12 11
			One hundred & eighty five pounds two shillings & eleven pence.
			One hundred & three pounds thirteen shillings & ten pence.
			Seventy nine pounds seven shillings & seven pence.
			One hundred & eight pounds three shillings & five pence.
			One hundred & seventeen pounds one shilling & eight pence.
			Seventy seven pounds thirteen shillings & six pence.
			Fifty one pounds eighteen shillings & eleven pence.
			Eighty seven pounds eight shillings & eleven pence.
			Eighty eight pounds eight shillings & four pence.
			Fifty seven pounds & nine pence.
			Fifty six pounds thirteen shillings.
			Seventy three pounds thirteen shillings & eight pence.
			Eighty six pounds three shillings.
			Twenty six pounds one shilling & eight pence.
			Twenty three pounds twelve shillings & six pence.
			Sixty eight pounds seventeen shillings & two pence.
			Seventy six pounds three shillings & ten pence.
			Twenty seven pounds ten shillings.
			Twenty three pounds ten shillings & ten pence.
			Forty two pounds eleven shillings & five pence.
			Fifty one pounds two shillings.
			Seventeen pounds nine shillings & two pence.
			Thirteen Pounds.
			Thirty four pounds twelve shillings & six pence.
			Eleven pounds & ten pence.
			Thirteen pounds five shillings & ten pence.
			Fifteen pounds fifteen shillings & ten pence.
			Ten pounds twelve shillings & eleven pence.



<i>Camden</i> . . . . .	15	6	8	Fifteen pounds six shillings & eight pence	.	.	.	.	15	6	8
<i>Monmouth</i> . . . . .	12	10	10	Twelve pounds ten shillings & ten pence	.	.	.	.	12	10	10
<i>Mount Vernon</i> . . . . .	11	4	2	Eleven pounds four shillings & two pence	.	.	.	.	11	4	2
<i>Meduncook</i> . . . . .	10	7	6	Ten pounds seven shillings & six pence	.	.	.	.	10	7	6
<i>Ballston</i> . . . . .	24	10	0	Twenty four pounds ten shillings	.	.	.	.	24	10	0
<i>Hancock</i> . . . . .	8	0	5	Eight pounds & five pence	.	.	.	.	8	0	5
<i>Lewistown &amp; Gore</i> . . . . .	15	15	0	Fifteen pounds fifteen shillings	.	.	.	.	15	15	0
<i>Smithfield</i> . . . . .	7	1	8	Seven pounds one shilling & eight pence	.	.	.	.	7	1	8
<i>Sandy River</i> . . . . .	12	1	8	Twelve pounds one shilling & eight pence	.	.	.	.	12	1	8
<i>Adjact. to Bowdoin</i> . . . . .	2	0	0	Two pounds	.	.	.	.	2	0	0
<i>Jones Plantation</i> . . . . .	2	14	2	Two pounds fourteen shillings & two pence	.	.	.	.	2	14	2
<i>Plymouth Compy.</i> . . . .	22	10	0	Twenty two pounds ten shillings	.	.	.	.	22	10	0
	758	11	0						1772	8	1

COUNTY OF HANCOCK.

<i>Penobscot</i> . . . . .	£.	s.	d.	Fifty six pounds one shilling & four pence	.	.	.	£.	s.	d.
<i>Deer Isle</i> . . . . .	21	5	6	Nineteen pounds five shillings	.	.	.	56	1	4
<i>Mount Desert</i> . . . . .	.	.	.	Twenty three pounds five shillings & ten pence	.	.	.	19	5	0
<i>Islesborough</i> . . . . .	.	.	.	Eight pounds ten shillings	.	.	.	23	5	10
<i>Goldborough</i> . . . . .	.	.	.	Twelve pounds eight shillings & four pence	.	.	.	8	10	0
<i>Vinalhaven</i> . . . . .	.	.	.	Fourteen pounds four shillings & two pence	.	.	.	12	8	4
<i>Orrington</i> . . . . .	.	.	.	Thirteen pounds nine shillings & two pence	.	.	.	14	4	2
<i>Belfast</i> . . . . .	.	.	.	Twelve pounds two shillings & one penny	.	.	.	13	9	2
<i>Sullivan</i> . . . . .	.	.	.	Ten pounds thirteen shillings & four pence	.	.	.	12	2	1
<i>Frankfort</i> . . . . .	.	.	.	Twenty seven pounds eighteen shillings & four pence	.	.	.	10	13	4
<i>Sedgwick</i> . . . . .	.	.	.	Sixteen pounds ten shillings & ten pence	.	.	.	27	18	4
<i>Blue Hill</i> . . . . .	.	.	.	Fourteen pounds seventeen shillings & six pence	.	.	.	16	10	10
<i>Trenton</i> . . . . .	.	.	.	Sixteen pounds twelve shillings & six pence	.	.	.	14	17	6
<i>Bangor</i> . . . . .	.	.	.	Six pounds fifteen shillings	.	.	.	13	12	6
<i>Plantation No. 2</i> { <i>East side Penobscot River</i>	.	.	.	Seven pounds two shillings & one penny	.	.	.	6	15	0
	7	2	1					7	2	1

## COUNTY OF HANCOCK — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of £.20,008 17 6	Total.
	£. s. d.	£. s. d.	£. s. d.
<i>Adjacent to Sullivan</i> . . .	. . .	3 12 6	3 12 6
<i>Adjacent to Bangor</i> . . .	. . .	5 19 7	5 19 7
<i>Duck Trap</i> . . .	. . .	4 10 5	4 10 5
<i>Waldo's Claim</i> . . .	. . .	27 10 0	27 10 0
	21 5 6	277 2 6	298 8 0
Three pounds twelve shillings & six pence . . . Five pounds nineteen shillings & seven pence . . . Four pounds ten shillings & five pence . . . Twenty seven pounds ten shillings . . .			

## COUNTY OF WASHINGTON.

	£. s. d.	£. s. d.	£. s. d.
<i>Machias</i> . . .	58 4 6	29 15 5	87 19 11
<i>Plantation No. 6 East side of Union River</i> . . .	. . .	7 7 6	7 7 6
<i>Plantation No. 13 East side of Union River</i> . . .	. . .	6 13 9	6 13 9
<i>Plantation No. 5 East side of Union River</i> . . .	. . .	8 5 0	8 5 0
<i>Plantation No. 4 East side of Union River</i> . . .	. . .	5 19 2	5 19 2
<i>Plantation No. 8 East side of Machias</i> . . .	. . .	3 0 0	3 0 0
	58 4 6	61 0 10	119 5 4
Eighty seven pounds nineteen shillings & eleven pence . . . Seven pounds seven shillings & six pence . . . Six pounds thirteen shillings & nine pence . . . Eight pounds five shillings . . . Five pounds nineteen shillings & two pence . . . Three pounds . . .			

SUM TOTAL OF THE SEVERAL COUNTIES.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
<i>Suffolk</i>	1491	6	6	Four thousand seven hundred & forty three pounds eight shillings & seven pence.	3252	2	1		4743	8	7
<i>Essex</i>	1556	8	0	Four thousand two hundred & thirty five pounds eighteen shillings & ten pence.	2679	10	10		4235	18	10
<i>Middlesex</i>	1799	12	6	Three thousand eight hundred & ninety three pounds and ten pence.	2093	8	4		3893	0	10
<i>Hampshire</i>	1493	18	6	Three thousand seven hundred & forty pounds eighteen shillings & eleven pence.	2247	0	5		3740	18	11
<i>Worcester</i>	2185	5	6	Four thousand seven hundred & thirty pounds three shillings & ten pence.	2544	18	4		4730	3	10
<i>Barnstable</i>	273	0	0	Six hundred eighty eight pounds nineteen shillings & seven pence.	415	19	7		688	19	7
<i>Plymouth</i>	733	18	6	One thousand nine hundred & twenty three pounds fourteen shillings & nine pence.	1189	16	3		1923	14	9
<i>Dukes County</i>	55	17	6	One hundred & sixty five pounds eleven shillings & eight pence.	109	14	2		165	11	8
<i>Nantucket</i>	48	9	0	One hundred & eighty one pounds fourteen shillings & five pence.	133	5	5		181	14	5
<i>Bristol</i>	622	16	6	One thousand seven hundred & two pounds seven shillings & nine pence.	1079	11	3		1702	7	9
<i>Berkshire</i>	957	4	6	Two thousand pounds ten shillings & nine pence.	1043	6	3		2000	10	9
<i>York</i>	604	14	0	One thousand six hundred & six pounds nine shillings.	1001	15	0		1606	9	0
<i>Cumberland</i>	607	8	6	One thousand four hundred & seventy three pounds seventeen shillings & eight pence.	866	9	2		1473	17	8
<i>Lincoln</i>	758	11	0	One thousand seven hundred & seventy two pounds eight shillings & one penny.	1013	17	1		1772	8	1
<i>Hancock</i>	21	5	6	Two hundred & ninety eight pounds eight shillings.	277	2	6		298	8	0
<i>Washington</i>	58	4	6	One hundred & nineteen pounds five shillings & four pence.	61	0	10		119	5	4
	13,268	0	6		20,008	17	6		33,276	18	0

*And be it further enacted* that the Treasurer of this Commonwealth do forthwith send his Warrants directed to the Selectmen or Assessors of each Town, District, Plantation or other place within this Commonwealth that are taxed as aforesaid, requiring such Selectmen or Assessors respectively to assess the sum hereby set upon such Town, or other place in manner following; that is to say: To assess all the male polls above the age of sixteen years within their respective Towns or other places next adjoining them, belonging to no other Town or place; *provided* such places, were returned in the last Valuation, and all Polls being minors, apprentices or servants under the government of a Master or Mistress, to be taxed to such Master or Mistress respectively, at ten pence each; & the remainder of such sum so set to each town, or other place respectively as aforesaid, after deducting the sums assessed on the Polls as aforesaid, on the Inhabitants of such Town or other place as aforesaid, according to the just value of the whole real Estate of each Inhabitant of such Town or other place respectively possessed on the first day of May last in his own Right or right of others lying within the said Town, or place improved, or not improved, and on the nonresidents possessors of real estate lying within the said Town or place in their own Right or Right of others, improved or unimproved, saving all agreements between Landlords & Tenants and where no agreement is, the Landlord to reimburse one half the Tax, & also on the Inhabitants of such Town or place & other persons possessing estates within the same according to the proportion of the amount of the just value of their personal estate including monies at Interest more than they pay interest for, although the same be secured by an absolute conveyance of real estate, if a bond of defeasance or promise of reconveyance has been given and all other Debts due more than they are indebted for, Monies of all kind on hand, Bank Stock held in any Bank, Public Securities of all kinds & also the just amount of the value of all goods wares and merchandize, Stock in trade, Vessels of all sorts at home or abroad with all their Stores and appurtenances: Mules of one year old & upwards and neat Cattle of two years old & upwards, & Swine of six months old and upwards and all property of the several kinds returned in the late valuation (excepting Sheep, Household Furniture Wearing

Apparrel, Farming Utensils & tools of the Mechanics) on the said first day of May; and the Assessors of the respective Towns or other places as aforesaid shall estimate all the before enumerated articles at Six per centum upon the real value of the same in the places where they are (excepting unimproved Lands which shall be estimated at two per cent) and on the amount of the incomes of the inhabitants within their respective precincts as aforesaid from any profession, handicraft, trade or employment, or gained by trading by Sea or land — and the Treasurer in his said Warrants shall likewise require the said Assessors respectively to make a fair list of such assessments, setting forth in distinct columns against each persons name how much he or she is assessed at, for Polls, how much for real estate, and how much for personal Estate and how much for any income as aforesaid, and if as Guardian or for any estate in his or her Improvement in trust to be distinctly expressed, also to insert on their rate bills the number of acres of unimproved land which they have taxed to each of the nonresident Proprietors of Lands within their respective Towns or other places, and also the real value at which they have estimated the same: And the list or lists so compleated and signed by them in manner as aforesaid or by the major part of them to commit to the Collector or Collectors, Constable or Constables of such Town or place respectively with a Warrant or Warrants in due form of Law for collecting and paying the same to the Treasurer of this Commonwealth on or before the first day of April next, and to return a Certificate of the name or names of such Collector or Collectors, Constable or Constables, with the sum total committed to them to collect to the said Treasurer some time before the first day of December next: — And whereas there are many persons within this Commonwealth, who are engaged in trade, & who almost entirely negotiate their Bussiness, & hire shops, stores or wharves in other Towns than where they dwell or reside & whose property and ability in this regard cannot be so well known to the Aseors of the several Towns wherein such persons dwell or reside as to the Assesors of the several towns wherein their Bussiness is transacted as aforesaid

*Be it therefore enacted by the authority aforesaid, that all such persons within the description aforesaid shall be assessed & pay taxes for such of their Goods Wares and*



Merchandize, Stock in trade, Ships & Vessels as are sold, used or improved in other Towns than where they reside in such Towns and by the Assessors thereof and not in the Towns where such persons dwell or reside, and they shall accordingly give in on oath if required a list of their whole estate to the Assessors of their respective Towns or places of Residence distinguishing what part thereof is rateable in other Towns & in default thereof shall be doomed by the Assessors respectively: *Provided always* that this Clause be not in any case so construed as to enable any Town to tax any Inhabitant of any other Town for any estate for which such Town hath been charged in the last Valuation.

*Provided nevertheless & be it further enacted* that the following persons *Vizt.* The President, Professors, Tutors Librarian & Students of Harvard College who have their usual Residence there and who enjoy no other pecuniary Office or employment also settled Ministers of the Gospel and Latin Grammar School masters are not to be assessed for their Polls or Estates unless their Estates be not under their own actual management or improvement or not in the Parishes in which they are settled & also all persons who have the management or improvement of the estate of Harvard College, are not to be assessed for the same, nor Indians for their polls or estates; & if there be any others who by reason of age or infirmity or poverty are so far unable to pay as others towards the Public charges, as that in the Judgment of the Assessors they ought to be relieved in their Taxes, in any such case the Assessors may exempt the Polls and Estates of such persons or abate any part of what they are set at, as they on their Oaths shall deem just & equitable.

*And be it further enacted*, that the Justices of the Peace at their respective Sessions in their several Counties when duly authorized for the Assessment of a County Tax, shall apportion the same on the several Towns or other places in their respective Counties as aforesaid, in the proportions of this Tax. And the Assessors of each Town, Parish or other place within this Commonwealth in making County, Town or Parish Taxes shall govern themselves by the same rule & assess the Polls in their respective Towns or Parishes in the same proportion as the said Polls pay towards the several sums with which the said Towns or other places by this act, respectively stand charged, having regard to all such alterations of Polls or

of property as may happen within the same subsequent to their assessing the Tax as aforesaid. And the Assessors of the several Towns which by this act are charged with the pay of Representatives shall assess such additional sum on the Polls and Estates as aforesaid within their respective Towns & shall apportion the same in the proportions at which such Polls & Estates shall be respectively set for raising the sum of Twenty thousand & Eight pounds seventeen shillings & six pence.

*And be it further enacted*, That the Treasurer of this Commonwealth shall send his warrant to the Sherri<sup>f</sup> of the County of Lincoln requiring him to collect the sum by this act assessed on the Lands belonging to the Plymouth company, so called, and shall issue his warrant to the Sheriff of the County of Hancock requiring him to collect the sum, which by this act is directed to be assessed on the Lands lying within the claims of the Heirs, and assigns of the late Brigadier Waldo, both of which sums are to be collected in the same manner as Constables, or Collectors are authorized and directed to proceed in collecting the Taxes laid on non-resident proprietors of unimproved lands, and to be paid into the Treasury of this Commonwealth on or before the first day of April next.

*And be it further Enacted*, That no Order shall be drawn by the Treasurer of this Commonwealth on any Constable, or Collector of this Tax for any part of the same.

*Approved June 21, 1793.*

## 1793. — Chapter 10.

[May Session, ch. 11.]

AN ACT TO INCORPORATE THE PARISH OF IPSWICH HAMLET, SO CALLED, IN THE TOWN OF IPSWICH IN THE COUNTY OF ESSEX WITH CERTAIN OTHER INHABITANTS AND ESTATES, INTO A SEPERATE TOWN AND PARISH BY THE NAME OF HAMILTON.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that all the lands and inhabitants of the parish aforesaid with all other lands & inhabitants within the following limits *vizt.* Begining at Dodge's stump, so called, where Manchester and Wenham lines meet, thence running westerly, northerly, and easterly by Wenham and Topsfield lines and by Ipswich river to a wall about ten chains below Barnabas Dodge's mills, then by said wall

Hamilton incorporated.

on the dividing line between Colo. Isaac Smith's & Barnabas Dodge's land to the road, thence by the road over pumpkin meadow causeway to the northerly and easterly corner of Isaac Adams's land, thence southerly on the dividing line between said Adams's and Colo. Smith's land to Isaac & Samuel Appleton's land, thence southerly to the northerly and easterly corner of Thomas Adams's land, thence southerly & easterly on the dividing line between said Appleton's & said Adams's land to the northerly corner of Phillip Brown's land, thence southerly & easterly on the dividing line between said Appleton's & Brown's land to the southwesterly corner of said Appleton's land, thence on the southerly side of said Appleton's land, to the Brook called Long Causeway Brook, thence easterly by said Brook to Miles river, so called, thence southerly and easterly by said Miles river to the southwesterly corner of Joseph and John H. Bowman's land, thence southerly and westerly on the dividing lines between Jacob Annable's, Samuel Patch's and Jeremiah Kinsman's land to said Miles river, thence by said river to the southwesterly corner of William Dodge's land, thence easterly on the southern side of said Dodge's land, to the road, thence northerly by the road to the northwest corner of Joseph Roberts's land, thence on the northern side of said Roberts's land to a stake and stones at the wall which seperates Chabacco pasture, from south eight, so called, thence southerly on a streight line by the said wall to George Norton's land, thence westerly & southerly on the northerly and westerly sides of said Norton's and the heirs of John Burnham's land to the road, thence on the dividing line between Abner Poland's and the heirs of David Roberts's land to Chabacco pond, thence southerly to the winter path in Maple swamp, and by the said path to Burley's point, and thence by the range of lots to Manchester line, thence westerly on Manchester line to the first mentioned bounds be, and the same are hereby incorporated into a town by the name of Hamilton & invested with all the powers, priviledges and immunities which towns in this Commonwealth by law are intituled to enjoy, except that the parsonage estate belonging to the south Parish in said Ipswich and lying in said town of Hamilton shall forever be exempted from all taxes therein.

*Be it further Enacted by the Authority aforesaid that*  
 Stephen Choate Esqr., be and he is hereby empowered

and required to issue his Warrant to some principal inhabitant of the said town of Hamilton directing him to warn the inhabi[bi]tants thereof qualified to vote in town affairs to assemble at some convenient time and place in said town, to chuse such officers as towns are impowered to chuse at their annual meeting in the months of March or April.

*And whereas the conditions of seperation of the said town of Hamilton from the town of Ipswich following have been agreed to by all parties concerned, and submitted to this Court to be ratified and made a part of this Act, viz ; That the town of Hamilton shall pay to the town of Ipswich, as a consideration for being exempted from any expence, on account of any poor person belonging to the town of Ipswich previous to this seperation, except such persons as may hereafter be returned as paupers from some other town, who were born in, or were formerly inhabitants of said parish, nine hundred & fifty pounds lawful money excepting that from the said sum there shall be deducted the amount of what would have been the proportion of the assessment of the said sum on the estates and lands of Isaac and Samuel Appleton, Nathan Dane Esqr., William Dodge and Jeremiah Kinsman if those estates and lands had remained within the lines of the incorporation as originally proposed ; and it is understood that any present inhabitant of said Parish who has received only partial supplies from the town, and all persons now inhabitants of said town of Hamilton who have not as yet received any support from the town of Ipswich, shall hereafter be considered as the inhabitants of the new Incorporation and there to be provided for in future if necessary : And the said nine hundred and fifty pounds after such deduction shall be paid by the first day of April One thousand seven hundred & ninety four and afterwards interest on the whole or such parts as shall not then be paid ; That the said town of Hamilton pay all assessments already made and their proportion of all debts contracted previous to the said seperation, and also that the State tax granted viz, June Session seventeen hundred and ninety three be assessed and collected in the same manner as if this incorporation had not taken place ; and if the provision made for the support of the poor be not sufficient therefor, untill the first day of April seventeen hundred and ninety four, the said town of Hamilton shall pay as heretofore their proportion of*

Preamble.



*such deficiency — That the inhabitants of the said town of Hamilton shall forever enjoy as heretofore the priviledge of improving all the public Docks, Shores, landings and water courses within the town of Ipswich — That they shall have free liberty of taking sand & of improving the clam banks for their own use and consumption as heretofore: All personal property belonging to the town shall be divided by a Committee chosen by the town and Hamlet Parish for that purpose, in such manner as they shall agree, in due proportion to their respective capitals. That the net proceeds of the old town and County house which may belong to the town, if [if] any, shall be appropriated towards the discharge of the present town debt — That the amount of the debts of the town shall be ascertained and determined, on or before the first day of September seventeen hundred & ninety four. And whereas the same conditions or articles of agreement appear to be reasonable:*

Inhabitants of each empowered to direct all assessments.

*Be it therefore Enacted by the authority aforesaid that the same be and they hereby are declared and made valid and obligatory on the said two towns respectively; and the inhabitants of each, qualified to vote in town affairs are hereby authorized and impowered in town meeting assembled to direct all assessments & to do all other acts necessary for carrying into execution all the said terms conditions and articles of seperation agreed on ratified & established as aforesaid.*

This act to be void in case.

*And be it further Enacted by the authority aforesaid, that in case the said town of Hamilton shall fail to pay or to secure payment by bond or otherwise to said town of Ipswich of the said sum of nine hundred & fifty pounds deducting therefrom as aforesaid on or before the said first day of April seventeen hundred and ninety four, then this act and every clause and article therein shall be void.*

*Approved June 21, 1793.*

### 1793. — Chapter 11.

[May Session, ch. 12.]

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR DIVIDING THE COUNTY OF SUFFOLK & ESTABLISHING A NEW COUNTY BY THE NAME OF NORFOLK."

Preamble.

*Whereas in the said Act no provision is made for the choice of Grand Jurors to serve at the Court of General Sessions of the Peace in the several Counties of Suffolk & Norfolk the present year;*



*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that the Clerks of the Court of the General Sessions of the Peace in the said Counties be and hereby are authorized respectively to make out their Warrants to the Constables of the several Towns in their respective Counties or to so many of them as the Court shall order requiring them severally to assemble the Freeholders & Inhabitants of their respective Towns qualified to vote for Representatives to choose by ballot one or more good and lawful man or men in each Town as the Court shall direct of like qualifications and of good moral character as is already required by “An Act regulating the appointment & services of Grand Jurors” to appear at the Court of General Sessions of the Peace next to be holden within the said Counties respectively and there to serve on the Grand Jury at every Court of General Sessions of the Peace throughout the remainder of the present year and untill another Grand Jury shall be chosen empanelled and sworn in their room & the Constables shall notify the persons so chosen four days before the sitting of the Court, and their duty shall be the same as is already declared & designated in the before mentioned “Act regulating the appointment & services of Grand Jurors.”

Grand Jurors.

— how chosen.

— to serve until others are appointed.

*Approved June 21, 1793.*

## 1793. — Chapter 12.

[May Session, ch. 13.]

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT FOR INCORPORATING JONATHAN DAVIS & OTHERS FOR THE PURPOSE OF BUILDING A BRIDGE OVER NEW MEADOW RIVER.”

*Whereas in said Act no provision is made for a draw to be built and kept in repair in said Bridge, and it being necessary for the accommodation of the Inhabitants on said River to pass and repass above and below said Bridge;*

Preamble.

*Be it enacted by the Senate and House of Representatives in General Court assembled & by the Authority of the same* that the said Jonathan Davis & others shall make a good and sufficient draw of at least twenty five feet wide in said Bridge for Vessels to pass and repass through said Bridge. And the said Davis & others shall keep some person at all times to raise said draw when required free of toll.

Draw to be made. “

Forfeiture in  
case of neglect.

*And be it further enacted by the Authority aforesaid* that if the said Davis & company shall build the Bridge aforesaid without such good and sufficient draw they shall be liable to pay the sum of Ten pounds for each and every Vessel which may be precluded from passing said Bridge for want of such draw to be recovered by the master or owner of such Vessel in any Court proper to try the same.

*Approved June 21, 1793.*

### 1793. — Chapter 13.

[May Session, ch. 14.]

AN ACT FOR ALTERING AN ACT INTITLED "AN ACT INCORPORATING THE HONBLE. JOHN WORTHINGTON ESQUIRE, AND OTHERS, THEREIN NAMED FOR THE PURPOSE OF RENDERING CONNECTICUT RIVER PASSABLE FOR BOATS AND OTHER THINGS FROM THE MOUTH OF CHICAPEE RIVER, NORTHWARD THROUGHOUT THIS COMMONWEALTH BY THE NAME OF THE PROPRIETORS OF LOCKS AND CANALS ON CONNECTICUT RIVER."

Preamble.

*Whereas the Proprietors above named have represented that it will be very difficult (if practicable) to construct the Canals abovementioned in such manner as to convey down the same, rafts of such length and breadth as is provided in the Act abovementioned, and have requested, an alteration thereof:*

Part of a  
former Act  
altered.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same* that the Proprietors of the Locks and Canals in Connecticut River shall not be holden or obliged to construct the Locks and Canals in the said River in such manner that Rafts and Floats exceeding sixteen feet in width or forty feet in length may pass down the same, any thing in the said Act to the contrary notwithstanding.

*Approved June 21, 1793.*

### 1793. — Chapter 14.

[May Session, ch. 1.]

AN ACT FOR REGULATING AND GOVERNING THE MILITIA OF THE COMMONWEALTH OF MASSACHUSETTS, & FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE; EXCEPTING AN ACT INTITLED "AN ACT FOR ESTABLISHING RULES & ARTICLES FOR GOVERNING THE TROOPS STATIONED IN FORTS AND GARRISONS WITHIN THIS COMMONWEALTH, & ALSO THE MILITIA WHEN CALLED INTO ACTUAL SERVICE."

Preamble.

*Whereas the laws for regulating & governing the Militia of this Commonwealth have become too complicate for*

*practical use, by reason of the several alterations which have from time to time been made therein; — Therefore*

*Be it Enacted by the Senate & House of Representatives in General Court assembled & by the authority of the same* that the several laws heretofore made for governing & regulating the militia be, and hereby are repealed, except an Act intituled “An Act for establishing rules and articles for governing the troops stationed in forts and garrisons within this Commonwealth and also the militia when called into actual service” *provided nevertheless* that all officers actually in commission, agreeably to the laws which are hereby repealed, & in grades which are established by this Act shall continue in commission in the same manner, and in the same authority they would, in case the said laws were still in force; and all actions depending in any Court by force of said laws shall and may be prosecuted to final judgment and execution.

Laws repealed.

Proviso.

*And be it enacted by the authority aforesaid* that each and every free, able bodied white male citizen of this or any other of the United States residing within this Commonwealth who is, or shall be of the age of eighteen years & under the age of forty five years (except as is herein after excepted) shall severally and respectively be subject to the requisitions of this act, and shall be enrolled in the militia by the Captain or Commanding Officer of the Company within whose bounds such citizen shall reside within three months from and after the passing this act; And it shall be at all times hereafter the duty of the commanding officer of every such company to enroll every such citizen as aforesaid; and also those who shall from time to time arrive at the age of eighteen years, or being of the age of eighteen years, and under the age of forty five years, and not herein after excepted, shall come to reside within his bounds; and shall without delay notify such citizen of the enrollment, by a non-commissioned Officer or other person duly authorized for that purpose, by whom such notice may be proved; and in all cases of doubt respecting the age of any person enrolled, or intended to be enrolled, the party questioned shall prove his age to the satisfaction of the commanding Officer of the company within whose bounds he may reside.

Persons to be enrolled in the Militia.

To be notified.

*And be it further enacted by the authority aforesaid,* that the Vice President of the United States, members of Congress of both houses with their respective Officers,

Persons exempted from training.

Lieutenant Governor, members of the Council Senate & House of Representatives with their Officers, Secretary and Treasurer of the Commonwealth, Officers Judicial & Executive of the Government of the United States; Justices of the Supreme Judicial Court, Justices of the Courts of Common Pleas, Judges of Probate Registers of Probate, County Registers, Justices of the Peace, Sheriffs, Deputy Sheriffs, Coroners, Constables, Selectmen, Ministers of the Gospel, Elders and Deacons of Churches, Church Wardens & those of the religious denominations of Quakers & Shakers, Masters of Arts, Officers and Students at any College, also such Physicians, Surgeons, stated School Masters, Ferry-men & Millers as the Selectmen of the towns to which they shall severally belong, shall by a writing under their hands signify the expediency of exempting, persons who have by commission under any Government or Congress or by election in pursuance of the orders of any Congress of the United States or either of them held the office of a subaltern or office of higher rank, and all mariners actually employed in any sea service of any citizen within the United States in any vessel of more than thirty tons burthen, Custom House officers, all Post officers, Stage drivers actually employed in the care and conveyance of the mail, and such persons as did attain to the age of forty years before the eighth day of May One thousand seven hundred and ninety three, & also all such Manufacturers as are by any special law of the Commonwealth now exempted, shall be, and hereby are exempted from the said enrollment.

*And be it further enacted by the authority aforesaid,* that the Governor by and with the advice of the Council be, and hereby is authorized and empowered to form and arrange the militia into Divisions, Brigades, Regiments and Companies and from time to time to make such alterations therein as shall be necessary, & if the same be convenient each Brigade shall consist of four Regiments, each Regiment of ten Companies, and each Company of sixty four effective privates: *Provided notwithstanding* that the present arrangement of the militia shall continue as it now is, untill the Governor with the advice of Council shall otherwise order; And each new Division, Brigade & Regiment shall be numbered at the formation thereof and a record made of such number in the Adjutant General's Office, and when in the field or in service, each

Arrangement  
of the Militia.

Proviso.



Division, Brigade & Regiment shall respectively take rank according to its number.

*And be it further Enacted by the authority aforesaid,* that the militia shall be officered as follows; To each Division one Major General and two Aids de Camp with the rank of Major; to each Brigade one Brigadier General with one Brigade Inspector to serve also as Brigade Major, with the rank of Major; to each Regiment one Colo. one Lieutenant Colo., one Major; *provided nevertheless* where any vacancy of Colonel now is or shall hereafter happen, then the field Officers of each Regiment to consist of a Lieutenant Colonel Commandant & two Majors; to each company of Infantry, one Captain, one Lieutenant, and one Ensign, four Serjeants, four Corporals, one Drummer one fifer or Bugler: That there shall be a Regimental staff to consist of one Adjutant, one Quarter Master, to rank as Lieutenants, one Surgeon, & one Surgeon's mate to be appointed by the Commanding Officer of the Regiment, and commissioned by the Governor, one Serjeant Major, one Quarter Master Serjeant, one Drum Major & one Fife Major; That each company of Artillery shall consist of one Captain two Lieutenants four Serjeants, four Corporals, six Gunners, six Bombadiers, one Drummer, one Fifer, & thirty two privates or Matrosses: And each troop of Cavalry shall, consist of one Captain, two Lieutenants and one Cornet, four Serjeants, four Corporals, one Saddler, one Farrier, one Trumpeter and thirty two privates: And there shall be one Adjutant General, & one Quarter Master General for the whole militia to be appointed by the Governor.

Manner of  
officering the  
Militia.

*And be it further Enacted by the authority aforesaid,* that each and every Major General be, & hereby is empowered, and it shall be his duty to give all such orders as shall from time to time be necessary, consistent with the law, for electing Brigadier Generals, Field Officers, Captains and Subalterns, in Brigades, Regiments & Companies within his respective Division, which have not been already commissioned and for filling up vacancies of such Officers or any of them where they now are, or may hereafter happen; *Provided always,* that whenever a time shall be appointed for the election of any Officer or Officers, the electors shall have ten days notice thereof at least; and all returns of elections and neglects or refusals

Major General  
empowered in  
election of  
Officers.

Proviso.



to make choice of Officers shall be made to the Governor by the Major General, in whose Division the election shall be ordered, and all commissions shall pass through the hands of the Major Generals to the Officers in their respective Divisions for whom they shall be made out; and every person who shall be elected to any Office in the said militia, and shall not within ten days after he shall have been notified of his election (excepting a Major General who shall be allowed thirty days after he shall be notified by the Secretary of the Commonwealth) signify his acceptance thereof shall be considered as declining to serve in such office; and orders shall be forthwith issued for a new choice.

All Officers to  
subscribe the  
oaths.

*And be it further enacted by the authority aforesaid* that every person who shall be lawfully entitled to be commissioned to any Office in the militia of this Commonwealth shall at the time of receiving his Commission take and subscribe the oaths and declaration required by the Constitution, before some Justice of the peace or some General or Field Officer, who shall have previously taken and subscribed them himself and who are hereby authorized to administer the same; and a certificate thereof shall be made upon the back of every Commission by the Justice of the Peace, or General or Field Officer, before whom the said oaths and declaration shall have been taken and subscribed.

Noncommis-  
sioned Officers,  
by whom  
appointed.

*And be it further enacted by the authority aforesaid,* that the commanding officers of Regiments shall appoint the noncommissioned staff officers of their respective Regiments — The Commanding Officers of Companies shall appoint the noncommissioned Officers, including the Clerks, of the respective Companies — All noncommissioned staff officers and Serjeants shall receive Warrants under the hand of the commanding Officer of their respective Regiments or corps — And the Adjutant shall keep a record in a suitable book to be kept for that purpose, of all Warrants which shall be issued, & no noncommissioned officer shall be deemed to have resigned his office until he shall have done it in writing to the commanding Officer of the Regiment or Corps to which he belonged, and shall have obtained his discharge also in writing from such Commanding Officer — And no noncommissioned officer or private shall be disenrolled from the militia for disability, without a certificate from the Regimental Surgeon & mate.

Resignations to  
be given in  
writing.

*And be it further enacted by the authori[zed][ty] afore-*  
*said* that every Company shall have a Clerk, who shall be  
 also one of the Serjeants, and he shall be sworn to the faith-  
 ful discharge of his trust, and it shall be his duty always  
 to keep a fair and exact roll of the Company together with  
 the state of the arms and equipments belonging to each  
 man, which Roll he shall annually revise and [*perfect*] in  
 the month of May as is hereinafter directed; to Register  
 all orders & proceedings of the Company in an orderly  
 book which shall never be alienated from the Company;  
 to keep exact details of all detachments; to call the roll  
 whenever the Company is assembled; to examine the  
 equipments when thereto required and to note all delin-  
 quencies; to sue for, recover and receive all fines & for-  
 feitures which are required by this Act to be recovered,  
 one half to his own use for his trouble, and the other half  
 to be paid to the Commanding Officer of the Company in  
 trust for the use of the company to which he belongs, ex-  
 cepting such cases wherein other provision is made by  
 this act for the recovery and appropriation of fines and  
 forfeitures.

Clerks to be  
appointed.

— Their duty.

— empowered  
to sue.

Appropriations.

*Provided nevertheless* that all commissioned Officers now  
 in command in the militia in any grade not established by  
 this Act shall be continued in their command and the  
 Clerks of companies now in office shall be continu d in  
 such office.

Proviso.

*And be it further Enacted by the authority aforesaid,*  
 that whenever a company shall have neither commissioned  
 Officers nor noncommissioned Officers the Commanding  
 officer of the Regiment or Battalion to which such com-  
 pany belongs shall appoint suitable persons within said  
 company to be noncommissioned Officers & Clerk of the  
 same, and such noncommissioned officers and Clerk so  
 appointed shall be authorized in the same manner and  
 have the same power and authority as if they had been  
 appointed by a Captain duly qualified to command said  
 company.

Noncommis-  
sioned Officers  
appointed in  
case.

*And be it further enacted by the authority aforesaid,*  
 that no Officer of the Militia shall be discharged except-  
 ing by the Commander in chief on the request of such  
 Officer in writing, or by the Commander in chief on the  
 address of both Houses of the Legislature; or by being  
 disbanded by a law of the Commonwealth, or by a judg-  
 ment of a Court Martial; or by actual removal (the Major

Prohibitions.

General to be judge whether the distance is so great that he cannot conveniently discharge the duties of his Office ; ) or by twelve months absence without leave of such Officer from the district of his Command : And no Officer shall consider himself exempted from the duties of his station untill he shall have been discharged in one or other of the methods aforesaid ; and if by the Commander in chief, not untill he shall have received a Certificate of such discharge : No Officer shall be allowed to resign his Commission when under arrest ; and no General or Field Officer shall approve the resignation of any other Officer, untill such Officer shall have lodged in his hands all such Militia Laws and orderly books as he shall have been furnished with by the Government ; and such General or Field Officer shall deliver the Laws and orderly books which he shall thus have received to the next succeeding Officer who shall be commissioned in the place of him who shall have resigned.

Cavalry  
organized.

Provisos.

Officers and  
men to furnish  
themselves  
complete with  
horses and  
every other  
equipment.

*And be it further enacted by the authority aforesaid* that the Governor with the advice of Council be and hereby is authorized to compleat the Cavalry in each Brigade of the Militia to two full Companies or troops ; and the Cavalry in each Brigade, when compleated, shall be formed into Battallions or Squadrons — in those Brigades where there are or may be two or three Troops they shall form Squadrons, and each squadron shall be commanded by a Major ; in those Brigades where there are already more than three Troops they shall form Battallions ; and each Battallion shall be entitled to a Lieutenant Colonel, Major, Adjutant and Quarter Master — *Provided always* that in those Brigades where there are already two troops raised they, shall not be augmented ; and in those Brigades where there are already more than two Troops, they shall not be reduced. *Provided also* that the Companies of Cavalry which are by any former Act annexed to any Regiment, shall continue to be so attached to such Regiment in which it is raised ; The Officers of Cavalry shall furnish themselves with good Horses at least fourteen hands and a half high and shall be armed with a pair of Pistols and Sword ; the holsters of which shall be covered with Bearskin Caps ; each Horseman shall furnish himself with a serviceable Horse of at least fourteen hands and a half high, a good Saddle, Bridle, mail Pillion and Valise Holsters, a Breast Plate and Cruper, a pair of Boots and

Spurs, a pair of Pistols, a Sabre and Cartridge Box to contain twelve cartridges for Pistols. No man shall be inlisted into any troop of Cavalry unless he shall own and constantly keep a suitable Horse and furniture for that service; and if any man who shall belong to any troop of Cavalry shall be destitute of a suitable Horse and furniture for more than three months at one time, he shall be discharged from such Corps and enrolled in the standing Company in which he resides. And whenever any draft or detachment shall be made from a troop of Cavalry for actual service, the men thus drafted or detached, shall march with their own Horses and before they march, the Horses shall be appraised by three indifferent men to be appointed by the Brigadier of the Brigade from which such detachment shall be made.

*And be it further enacted by the authority aforesaid* that the Governor with the advice of Council be and hereby is authorized to compleate the Artillery in each Brigade of the Militia to two full Companies, and when thus compleated shall form a Battallion in each Brigade, and be entitled to a Major, Adjutant & Quarter Master. *Provided nevertheless*, that in those Brigades where there are already two Companies raised, they shall not be augmented; and in those Brigades where there are already more than two Companies, they shall not be reduced. And each Company of Artillery shall be provided with two good field pieces with Carriages and Apparatus compleat, an Ammunition Cart, forty round Shott, and forty rounds of Cannister Shott. The Governor shall order to be issued to each Company of Artillery annually a quantity of Powder not exceeding One hundred pounds which shall be expended on General Muster days and in experimental Gunnery. And the Quarter Master General shall provide for and supply the Artillery Companies with all the Carriages, Tumbrils, harness apparatus, implements, laboratory, and Ordnance Stores, which may from time to time be necessary for their equipment. The Officers of Artillery shall be armed with a Sword, a hanger, a fuzee, Bayonet, and Belt with a Cartridge Box to contain twelve Cartridges; and each non-commissioned Officer and Private or Matross, of those Companies which are unprovided with field pieces, shall furnish himself with all the equipments of a Private in the Infantry, untill proper Ordnance and Field Artillery is provided. And the Commanding

Artillery  
organized.

Proviso.

— to be provided with complete apparatus

Quarter Master  
General to  
furnish equip-  
ment.



Commanding  
Officers to be  
accountable.

Artillery and  
cavalry to be  
formed of  
volunteers.

Light Infantry  
companies.

Penalty.

No corps to be  
raised at large  
which will re-  
duce standing  
companies to  
a limited num-  
ber.

— to be deemed  
disbanded in  
case.

Officers of each Company of Artillery shall be accountable for the careful preservation of the pieces and Apparatus, and the proper expenditure of the Ammunition supplied by Government. Each Company of Artillery and Troop of Cavalry shall be formed of volunteers from the Brigade, and together they shall not exceed in number one eleventh part of the Infantry of such Brigade; and they shall be uniformly clothed in Regimentals to be furnished at their own expence.

*And be it further enacted by the authority aforesaid,* that at all Regimental Musters, the Companies Commanded by the two eldest Captains shall act as light Infantry Companies, except where Light Infantry Companies have already been raised by voluntary enlistment, and one or more shall be attached to such Regiment.

*And be it further Enacted by the authority aforesaid,* that if any Non-commissioned Officer or private of Cavalry, Artillery, Light Infantry or other corps raised at large shall neglect for the term of three months to keep himself provided with an uniform of the company to which he belongs as is directed by this act, he shall be discharged from such corps, by the Brigadier commanding the Brigade, and enrolled in the standing company in which he resides. And no company of Cavalry, Artillery, Light Infantry, or other Corps which it may be lawful to raise at large, shall be raised within this Commonwealth, when any of the standing companies will be reduced thereby to a less number than sixty four effective privates; & no Officer of any such corps shall enlist any men belonging to a standing company for the purpose of forming or recruiting such corps raised at large, when by means thereof, such standing company would be reduced to a less number than sixty four effective privates — And if any such corps raised at large shall at any time be destitute of commissioned officers, & shall neglect to fill up such vacancies for one whole year after being ordered to elect them, or if any such corps shall be reduced under twenty privates & remain in that situation for one whole year without doing duty as the Law directs; then in either case as aforesaid such corps raised at large shall be deemed disbanded; & the men which belonged to such delinquent Corps, shall be enrolled in the standing company in which the individuals thereof shall respectively reside; And no such Corps raised at large, shall at any



time bear a greater number of men on their rolls, than the Law allows necessary to constitute them; and the commanding officer of every such corps shall annually in the month of April, make out a list of all the mens names belonging to his corps, & deliver the same to the commanding officer of the Regiment or Battalion in whose District such Corps is or may be raised; — and all such Corps raised at large not annexed to any particular Regiment shall be subject to the orders of the Commanding Officer of the Brigade in which they shall respectively be raised, & shall make their Elections & returns in the same manner as other Corps of the Militia.

— not to consist of a greater number than legally allowed.

And whereas the Military Company in Boston, commonly called the “Ancient & Honorable Artillery Company” being by ancient Charter, custom & usage exempted from the general regulations of the Militia, therefore

Ancient and Honorable Artillery Company.

*Be it further Enacted by the authority aforesaid,* that the said Company called the “Ancient & Honorable Company of Artillery” shall retain its accustomed privileges, not being incompatible with the Constitution, but shall be subject to all other duties required by this Act, in like manner as other Companies of Militia.

— to retain privileges.

*And be it further Enacted by the authority aforesaid,* that every Commissioned Officer of Infantry whose duty shall require him to serve on foot, shall be armed with a Sword & an Esponton; & every Officer whose duty requires him to be mounted, shall be armed with a Sword & pair of Pistols; — And the Uniform in every instance required by this Act shall be a dark blue cloth coat, of such fashion & with such facings & under-cloaths as the Major Generals or Brigadiers shall direct within their several commands.

Officers, how to be armed and uniformed.

*And be it further Enacted by the authority aforesaid,* that every Non-Commissioned Officer & private of the Infantry shall constantly keep himself provided with a good Musquet, with an iron or steel rod; a sufficient bayonet & belt, — two spare flints, a priming wire & brush & a knapsack; — a cartridge box or pouch with a box therein to contain not less than twenty four cartridges suited to the bore of his Musquet; — each cartridge to contain a proper quantity of powder & ball, or with a good rifle, knapsack, shott-pouch, powder horn, twenty balls suited to the bore of his rifle, & a quarter of a pound of Powder — And shall

Necessary articles of equipment.

Proviso.

Arms &c. to be  
exempted from  
suits.

Fine for  
neglect.

Parents and  
masters to equip  
their children &  
servants.

Persons unable  
to equip them-  
selves to be fur-  
nished arms  
&c by the  
town.

Penalty, in case.

appear so armed, accoutred & provided whenever called out, except that when called out to exercise only, he may appear without a knapsack & without cartridges loaded with ball; *provided always*, that whenever a man appears armed with a musquet, all his equipments shall be suited to his musquet; & whenever a man appears armed with a rifle all his equipments shall be suited to his rifle — And that from and after five years from the passing of this Act, all Musquets for arming the Militia as herein required shall be of bores sufficient for balls of the eighteenth part of a pound. And every Citizen enrolled and providing himself with the Arms, Ammunition and Accoutrements required as aforesaid shall hold the same exempted from all suits, distresses, executions, or sales for debt or for payment of Taxes.

*And be it further enacted by the authority aforesaid*, that every non-commissioned Officer or private of the Infantry who shall neglect to keep himself armed and equipped as aforesaid, or who shall on a Muster day, or at any other time of examination, be destitute of, or appear unprovided with, the Arms and Equipments herein directed (except as before excepted) shall pay a fine not exceeding twenty shillings in proportion to the Articles of which he shall be deficient, at the discretion of the Justice of the Peace before whom trial shall be had. And all Parents, Masters and Guardians shall furnish those of the said Militia who shall be under their care and command, with the Arms and Equipments aforementioned, under the like penalties for any neglect. And whenever the selectmen of any Town shall judge any Inhabitant thereof, belonging to the Militia, unable to Arm and equip himself in manner as aforesaid, they shall at the expence of the Town provide for and furnish such inhabitant with the aforesaid Arms and equipments which shall remain the property of the Town at the expence of which they shall be provided; and if any Soldier shall embezzel or destroy the Arms and Equipments with which he shall be so furnished, he shall, upon conviction before some Justice of the Peace, be adjudged to replace the Article or Articles which shall be by him so embezzeled or destroyed, and to pay the cost arising from the process against him; And if he shall not perform the same within fourteen days after such adjudication, it shall be in the power of the Selectmen of the Town to which he shall belong, to bind him

out to service or labour, for such term of time as shall, in the discretion of the said Justice, be sufficient to procure a sum of money equal to the value of the Article or Articles so embezzled or destroyed, and pay cost arising as aforesaid.

*And be it further enacted by the authority aforesaid,* that every person liable to do military duty, who being duly warned shall refuse, or neglect to appear at the time, and place appointed, armed, and equipped as by this act is directed for any muster, training, view of Arms, or other military duty, shall pay as a fine for such default the sum of ten shillings — And every person who shall appear at any muster with his arms in an unfit condition shall pay a fine of three shillings for each, and every such default — *provided nevertheless,* it shall be lawfull for the commanding officer of a company at any time within eight days after any muster, training view of Arms, or other duty, to excuse any person for non-appearance, on the delinquent's producing to him satisfactory evidence of his inability to appear as aforesaid; and the commanding officer of the company shall certify the same to the clerk within the time above mentioned, and the clerk shall not thereafter commence any prosecution against such delinquent for his fine for non-appearance as aforesaid —

Penalty for not appearing on muster days.

Proviso.

*And be it further enacted by the Authority aforesaid,* that whenever the commanding officer of a company shall think proper to call his company together, or shall be ordered by his superiour officer to do it, he shall issue his orders therefor to one, or more of the non commissioned officers, if there be any, if not, to one, or more of the privates belonging to his company, directing him, or them to notify, and warn, the said company to appear at such time and place as shall be appointed — and every such person, or persons, who shall receive such orders, shall give notice of the time, and place appointed for assembling said company to each, and every person, he or they shall be so ordered to warn, either by verbal information, or by leaving a written, or printed notification thereof at the usual place of abode of the person thus to be notified, and warned; and no notice shall be deemed legal for musters for the purpose of common, and ordinary trainings, unless it shall be given four days at least previous to the time appointed therefor; but in case of invasion, insurrection, or other emergency, any time specified in

Clerk to notify.

Manner of notification.

Penalty.

the orders shall be considered as legal, — and every non commissioned officer, or other person, who shall neglect to give the said notice, and warning when ordered thereto by the commanding officer of the company, to which he belongs, shall for such offence forfeit, and pay as a fine a sum not exceeding forty shillings, nor less than twelve shillings at the discretion of the justice of the peace before whom trial shall be had: And the testimony of any person under Oath who shall have received orders agreeable to Law for notifying and warning any company, or part thereof, to appear at a time and place appointed for any muster, view of arms, or other military duty shall be sufficient to prove due notice was given to the party against whom complaint may be made, unless such testimony shall be invalidated by other sufficient evidence.

Companies  
destitute of  
commissioned  
Officers, how  
warned.

And whenever a company shall be destitute of commissioned officers and the commanding officer of the Regiment, or Battalion, to which such company belongs shall think proper to call out such company, he shall direct his orders to one, or more of the non-commissioned officers of said company, who shall have full power and authority to warn, assemble, lead, order, exercise, and govern said company, conformably to the orders which he or they shall thus receive from their superiour officer for that purpose. *Provided always*, when in Regiment or Battalion, it shall be lawfull for the commanding Officer present to order a commissioned officer to command such company, while acting in conjunction with other corps —

Proviso.

Penalty for  
disorderly  
behaviour.

*And be it further enacted by the authority aforesaid*, that every non-commissioned officer, and private of the militia, who shall be disorderly, or disobedient, or guilty of unmilitary conduct, on a muster, or training day, or at any other time when on duty, shall be confined during the time of said muster, or training at the discretion of his officers, and shall pay a fine not exceeding forty shillings, nor less than twelve shillings at the discretion of the Justice of the peace to whom complaint shall be made.

Fines, how  
recovered.

*And be it further Enacted by the authority aforesaid*, that whenever any non-commissioned officer, or private in the militia, shall forfeit any sum of Money set, and affixed to any default, or offence by this act of the sum of four pounds, or under, the same shall be recovered in the manner following; that is to say; The Clerk of the company to which the offender belongs shall, after the expiration



of eight days, and within sixty days after the offence shall have been committed, make complaint thereof, and of all matters of substance, and material circumstances attending the same to some justice of the Peace in the County, where such offender shall live, who shall make record thereof, and shall issue a summons to the party complained of, to be served seven days at least, before the time appointed for the trial in the form following, *mutatis mutandis* —

— SS.

[L. S.] To the Sherrif of the said County, or his Deputy, or either of the Constables of the Town of \_\_\_\_\_ within the same County

GREETING —

In the name of the Commonwealth of Massachusetts you are hereby required to summon C. D. of \_\_\_\_\_ in the county of \_\_\_\_\_ to appear before me E. F. one of the justices of the Peace for the County aforesaid, at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ of the Clock in the noon; then and there to shew cause, if any he has, why a warrant of distress shall not issue against him [Here insert the complaint] Hereof fail not, and make due return of this writ and of your doings therein unto myself at, or before the said \_\_\_\_\_ day of \_\_\_\_\_.

Form of the summons.

Dated at \_\_\_\_\_ aforesaid the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

E. F. *Justice of the Peace.*

And when the said party shall by himself, or his attorney appear accordingly, he may plead the General Issue, and give any special matter in Evidence; and if the said party shall make default, or if Judgment shall be given against him, and he shall neglect for four days thereafter, to satisfy the same with legal costs, then the Justice of the Peace before whom trial shall be had, shall issue his warrant of distress under his hand and seal in the form following

— SS.

[SEAL.] To the Sherrif of the said County, or his Deputy or any or either of the Constables of the Town of \_\_\_\_\_ within the same County —

GREETING —

Whereas C. D. of \_\_\_\_\_ upon the \_\_\_\_\_ day of \_\_\_\_\_ being a private soldier in the train band (as the case may be) of the Company of foot commanded by \_\_\_\_\_ in the Regiment of militia in the said County of \_\_\_\_\_ commanded by \_\_\_\_\_

Form of the warrant of distress.



was duly notified to appear upon the      day of      in the town of      in the County aforesaid with his Arms, and equipments as the law of this Commonwealth directs; and the said C D in violation of the said Law, did unnecessarily neglect to appear (or did not appear armed, and equipped as the case may be) whereby he hath forfeited, and ought to pay the sum of      shillings to the uses directed by Law: and the said C. D. having been duly summoned to appear before me E. F. one of the Justices of the Peace for the County aforesaid, to shew cause, if any he had, why a warrant of distress should not be issued for the same Sum did not appear (or appearing, did not shew sufficient cause why the same warrant should not be issued, as the case may be,) In the name of the Commonwealth of Massachusetts, you are therefore commanded forthwith, of the Goods, or chattels of the said C. D within your precinct to levy by distress and sale thereof the aforesaid Sum of      shillings with      for charges of suit being in the whole the Sum of      and to pay the same to      Clerk of the aforesaid Company, and also of the Goods, Chattels of the said C. D to levy for this Writ together with your own fees, and for want of such goods or chattels of the said C D to be by him shewn to you, or found within your Precinct, you are comanded to take the Body of the said C D. and him committ to the Common Goal in      in the County aforesaid; and the Keeper thereof is hereby commanded to receive the said C D into the said Goal, and him safely keep, untill he shall pay the sum aforesaid together with legal fees and costs, or untill he shall be otherwise discharged by order of Law; and you are to make return of this warrant with your doings therein unto myself, within twenty days next coming for which this shall be your sufficient Warrant — Hereof fail not.

Given under my hand and Seal the      day of      in the Year of our Lord.

E. F. *Justice of the peace.*

Companies to  
be mustered at  
stated times for  
examination.

*And be it further enacted by the authority aforesaid,*  
That every Captain or Commanding Officer of a Company, shall call his Company together three days in each year for company discipline; and once on the first Tuesday of May annually for the express purpose of examining and taking an exact account of every mans arms and equip-

ments, at which time every article required by this Act shall be brought to the place of examination; and it shall be the duty of the Clerk or in his absence of some other person to be appointed on the occasion for the time only by the commanding Officer for that purpose, to make out an exact Roll of the Company, and set against every mans name, the Arms and Equipments which shall belong to him: and every commanding Officer of a Company shall constantly keep by him a Roll, with the Arms and Equipments of every man annexed to his name as aforesaid, from which all detachments shall be regularly detailed, and the annual Return of the company made; and the said Roll shall be annually revised, corrected and completed, on the first Tuesday in May as aforesaid. And every person liable to do duty in the Militia, who shall be absent at the examination or view of Arms in the month of May as aforesaid, and shall not send his Arms and Equipments to be examined at the time and place appointed, he shall be fined for every Article required in this Act, not so brought or sent to be examined, as is herein before directed, besides the sum of ten shillings for non-appearance as aforesaid.

Commanding Officers to keep a roll.

Fines in case of neglect.

*And be it further enacted by the authority aforesaid,* That every Captain or Commanding Officer of a Company shall make a Return of the state of his Company, comprehending every man belonging to said Company with all the Arms and Equipments belonging to them, to the commanding Officer of the Regiment in the month of May annually: Every commanding Officer of a Regiment shall make a Return of the state of his Regiment to the Brigadier in the month of June annually: And every commanding Officer of a Brigade shall make out duplicate Returns of his Brigade, one of which he shall transmit to the Major-General of the Division to which he belongs, and the other to the Adjutant-General of the Commonwealth in the month of July annually.

Commanding Officers to make regular returns annually.

*And be it further enacted by the authority aforesaid,* That the Adjutant General shall be Commissioned with the rank of Brigadier General, and it shall be his duty to distribute all Orders from the Commander in Chief of the Militia to the several Corps: to attend all public Reviews when the Commander in Chief shall Review the Militia, or any part thereof: to obey all Orders from him relative to carrying into execution and perfecting the System of

Rank and duty of Adjutant General.

Military Discipline established by this Act: to superintend the annual Inspection of the Militia: to furnish blank forms of the different Returns that may be required, and to explain the principles on which they should be made: to keep such Rosters and Records as are proper to be kept in his Office; to receive from the several Officers of the different Corps throughout the state, Returns of the Militia under their command reporting the actual situation of their Corps, their Arms, Ammunition, and Accoutrements, their delinquencies, and every other thing which relates to the general advancement of good order and discipline; all which the several Officers of the Divisions, Brigades, Regiments, Battalions and Companies are hereby required to make in the usual manner, or as the Commander in Chief shall direct; so that the said Adjutant General may be duly furnished therewith: from all which Returns he shall make proper Abstracts, and a General Return of the whole Militia of the Commonwealth, and lay the same before the Governour or Commander in Chief, and to forward a duplicate thereof to the President of the United States.

Duty of Brigade  
Inspector.

*And be it further enacted by the authority aforesaid,* That it shall be the duty of the Brigade Inspector to attend the Regimental and Battalion meetings of the Militia composing the several Brigades to which they belong, during the time of their being under Arms; to inspect their Arms and Equipments; to superintend their exercise and manœuvres, and introduce the System of Discipline established by this Act; to obey all Orders they may from time to time receive from the Commander in Chief or others their superior Officers; to make Returns to the Adjutant General at least once in a year, and at such other times as shall be required, of the Militia of the Brigades to which they severally belong, reporting therein the actual situation of the Corps, their Arms, Ammunition and Accoutrements and every other thing which they may be required to report; or which in their judgment may relate to their government, and the general advancement of good order and military discipline.

Rules and regu-  
lations of disci-  
pline for the  
Militia.

*And be it further enacted by the authority aforesaid,* That the Rules of Discipline approved and established by Congress in the Resolutions of the twenty ninth day of March one thousand seven hundred and seventy nine, shall be the Rules and Regulations of Discipline to be

observed by the Militia of this Commonwealth, except such deviations from said Rules as may be necessary by the requisitions of this Act, or some other unavoidable circumstances; and every Officer receiving a Commission in the Militia shall immediately provide himself with a Book containing those Rules.

*And be it enacted by the authority aforesaid,* That every Regiment of Militia of this Commonwealth, shall be assembled in Regiment, once in two Years, for Review, Inspection and Discipline, on such days as the Commanding Officers of the several Divisions or Brigades shall Order: (the commanding Officers of Regiments to point out the place) And the Militia of every Town shall be assembled together once in two years, (the year it is not mustered in Regiment) at such time and place as the Commanding Officer shall Order, and shall be instructed and disciplined under the direction of a Field Officer.

Time and manner of mustering Militia.

*Provided nevertheless,* in new settlements where the dispersed situation of a Regiment may oblige men to march twenty miles or more to the place of parade, it shall be at the discretion of the commanding Officer of the Regiment to muster the Militia in such settlements either by Regiment, by Towns, or other convenient bodies. And every non-commissioned Officer and Private shall come to the place of parade with necessary refreshment for said day at his own expence. The Cavalry and Artillery, and other Corps raised at large, shall also be reviewed and inspected once in every Year, either with the Regiments and Battalions, or by themselves, as the Major Generals or Brigadiers shall Order, and at such times and places, as they shall direct. And each commanding Officer of a Corps when on duty shall have full power and authority to ascertain and fix certain necessary limits and bounds to their respective parades (no road in which people usually travel to be included) within which no Spectator shall have right to enter without liberty from said commanding Officer; and in case any person shall so intrude within the lines of the parade after being once forbidden, he shall be subject to be confined under guard during the time of exercise at the discretion of the commanding Officer. And whenever different Corps shall be assembled together the senior Officer present shall command without any regard to Corps whatever. And all Officers when on duty shall take Rank according to the

Provide.

Reviews of cavalry and artillery.

Parades to be limited and cleared of spectators.

Senior Officer to command, in case —  
Officers to rank from date of commissions.



dates of their Commissions; and when two of the same grade bear an equal date, and former pretensions of some Commission do not decide, then their Rank shall be determined by lot, to be drawn by them before the commanding Officer present; and when on Court Martial before the President thereof.

*And be it further enacted by the Authority aforesaid*, that every Captain or commanding Officer of a Company who shall neglect or refuse to call out his company as often as the law requires for discipline and on the first Tuesday of May for a view of Arms as directed by this Act, or at any other time when thereto required by his superior Officer; or who shall at any time excuse his men for unnecessary absence, or deficiency, shall be tried by a Court-martial, and if thereof convicted he shall be reprimanded in orders, or removed from Office at the discretion of said Court.

*And be it further enacted by the Authority aforesaid* that at any Regimental muster the severall companies shall form in regiment according to the rank of the Officers commanding them: and the same Rule shall Apply whenever different corps are assembled together, excepting so far as by custom usage & Necessity Cavalry Artillery and Light troops may be detached from the Battalions.

*And be it further Enacted by the Authority aforesaid* that whenever in case of threatened or actual Invasion, insurrection or other public danger or emergency the Militia or any part thereof shall be ordered out or detached, if any person who shall be ordered out or detached in obedience to such orders being duly notified thereof and ordered to march to the place of rendezvous shall neglect or refuse to obey such orders or shall not within twenty four hours after he shall have been notified as aforesaid pay a fine of ten pounds to the commanding Officer of the company to which he belongs or procure an able bodied man in his stead such person shall be considered as a soldier in such detachment and be dealt with accordingly.

*Provided always* that whenever a detachment is made the Officers, noncommissioned Officers and privates being able of body shall be detailed from the Rosters or Rolls which shall be kept for that purpose: and any person who by absconding, after being detached as aforesaid, or by deserting from such detachment, shall attempt to evade the punishment by law provided for desertion he shall pay a fine of twelve pounds to be sued for and recovered

Companies,  
how to rank

Penalty for not  
marching with  
detachments,  
when ordered.

Proviso.

Punishment for  
absconding.



by the clerk of the Company to which such person belongs any time within twelve months after the discharge of such detachment, said fine to be disposed of for the purpose of paying such men as shall be hired or drafted into service. And any Officer holding a Commission in the Militia who shall Neglect or refuse to execute any orders he may receive from his superior Officer to make a detachment of the Corps under his command it shall be the duty of the officer who issued such orders, immediately to arrest such delinquent Officer, bring him to trial therefor before a Court martial, and forthwith give information thereof to the Commander in chief; and the officer who issued the Order which shall not have been executed as aforesaid shall immediately after arresting the delinquent Officer proceed by himself or some other officer under his command to make and complete the detachment ordered as aforesaid. And when any Regiment or Company shall not be organized the officer issuing the orders for such detachment shall by himself or some other Officer under him proceed to make and complete the detachment from any part of the Militia of such unorganized Corps.

Delinquent officers, how punished.

*And be it further enacted by the Authority aforesaid,* that whenever the Militia or any part thereof of any town shall be ordered to march for the immediate defence of this state, each officer & soldier shall provide and take with him three days provision unless otherwise ordered; and the selectmen of such town shall cause carriages to attend them with further supplies of provision and Camp Utensils, until notice shall be given them to desist by the commanding officer of the Militia detached. And the selectmen shall prefer their Accounts for such supplies to the General Court for allowance and payment— And whenever the selectmen of any town or district from which a detachment shall be ordered shall be Notified by any officer duly Authorized thereto and shall neglect or refuse to furnish such supplies and Utensils the Towns or districts to which such selectmen belong shall pay a fine not exceeding fifty pounds to be sued for and recovered by any person who shall prosecute for the same one moiety to the prosecutor and the other to the use of the Commonwealth and the officer to whom such camp Utensils shall be delivered shall be accountable for the same unless broken or lost by some unavoidable accident not in his power to prevent.

Militia to provide provisions when called out.

Selectmen to furnish carriages, &c.

Penalty in case.

Widows and children of persons who may be killed or wounded in actual service to receive a pension.

*Be it further Enacted by the Authority aforesaid,* that if any Officer non commissioned Officer or private of the Militia shall be killed or die of his wounds recieved in the service of this Commonwealth, his widow, child or children shall be entitled to similar relief, and under the same regulations and restrictions as is provided by Law in such cases for the relief of widows & orphans of persons killed or dying of wounds recieved in the service of the United States. And if any Officer, non commissioned Officer or private of the Militia shall be wounded or otherwise disabled in the service of this Commonwealth, he shall be entitled to similar relief and under the same regulations & restrictions as is provided by law in such cases for the relief of persons wounded or disabled in the service of the United States.

Court Martial how appointed, and by whom.

*And be it further Enacted by the Authority aforesaid,* That the Governour or Commander in chief shall appoint Courts martial for the trial of all Officers above the rank of Captain: That the Major Generals or commanding Officers of Divisions each within his own division shall appoint courts martial for the trial of Captains and all Officers under that rank. And it shall be the duty of every Officer who shall appoint a court martial as aforesaid to approve or disapprove of every sentence of such court martial by them appointed. And no Officer who shall appoint a Court-martial shall be president thereof nor shall any sentence be put in Execution untill it shall have been approved of as aforesaid. No court martial shall consist of a less number than thirteen Commissioned Officers the president of which shall not be under the rank of a field Officer; and no field Officer shall be tried by any person under the degree of a Captain; and all Officers shall take rank by seniority of Commission without regard to Corps, and the Officer who shall appoint a Court-martial shall at the same time appoint a suitable person for a Judge Advocate; whose duty it shall be impartially to state the evidence both for and against the Officer under trial; to take accurate minutes of the evidence and all the proceedings of the court all of which he shall transmit with the Judgement of the court thereon under seal to the Officer whose duty it is to approve or disapprove of such Judgement. Every officer to be tried shall have ten days Notice given him of the time and place appointed for trial. And every officer to be tried shall be put in ar-

Judge Advocate to be appointed — his duty.

Officers to be tried, to have due notice. — to be arrested.

rest so as to be suspended from the exercise of his Office, and shall have a Copy of the charges Exhibited against him ten days before the sitting of said Court, and in case any Officer for the trial of whom a Court martial shall be appointed, shall neglect to appear and make defence, he shall be deemed by said Court guilty of the Charge and shall be sentenced accordingly. In every Court Martial held for the trial of an Officer, not less than two thirds of the members must agree in the sentence or Judgment of said Court, otherwise the person charged shall be acquitted. All proceedings and trials by Court Martial shall be carried on in the day time; and when the members shall be required to give their votes on a question or decision, they shall begin with the Youngest in Commission first. All persons shall be holden to appear and give evidence before any Court Martial under the same penalties for neglect as are by law provided for witnesses in other cases, when thereunto summoned by a Justice of the Peace for such service. And all witnesses shall be sworn by the Judge Advocate before they give their evidence to the Court. Before any Court Martial shall proceed to the Trial of any Officer, the Judge Advocate shall administer to the President and each of the members the following Oath *Viz*—

Judgment of Court Martial, — how determined.

Persons to give evidence under penalties.

Judge Advocate to administer the Oath.

You A. B. do swear that you will well and truly try the cause now before you, between this Commonwealth, and the person to be tried; and you do further swear that you will not divulge the sentence of this Court Martial until it shall be approved or disapproved of; and that you will not on any account at any time whatever discover the vote or opinion of any member unless required to give evidence thereof as a witness by a Court of Justice in a due course of law. So help you GOD.

Oath.

And the President shall administer to the Judge Advocate the following Oath *Viz*—

You A. B. do swear that you will not on any account at any time whatever divulge the vote or opinion of any member of this Court Martial, unless required to give evidence thereof, as a witness by a Court of Justice in a due course of Law.

Oath administered to the Judge Advocate.

So help you GOD.

*And be it further enacted by the authority aforesaid,* that every Officer holding a Commission in the Militia,

Officers guilty of unmilitary

conduct, to be  
tried by a Court-  
Martial;

— and removed  
from office.

Towns to be  
provided with  
military arti-  
cles.

Penalty in case  
of neglect —

how recovered.

Brigade  
Inspector to  
inspect town  
magazines &c.

Penalty for  
firing on a  
muster day,  
without or-  
ders —

who shall be accused of any unmilitary conduct, neglect of duty, or disobedience of Orders; or who shall when on duty appear or behave himself in an unofficer like manner, or shall wilfully injure those who are under his command, he shall be liable to be tried by a Court Martial, and if found guilty to be sentenced by said Court to be reprimanded in Orders, or to be removed from Office. And whenever a Court Martial shall sentence any Officer to be removed from Office, the Court shall therein adjudge such Officer incapable of holding any military Commission under this Commonwealth for life, or for years, according to the nature and aggravation of his offence; and such sentence being duly approved of by the Officer appointing such Court Martial, shall be published and remain in full force, unless reversed, so far as respects disqualification, by the General Court:

*And be it further enacted by the authority aforesaid,* That every Town within this Commonwealth shall be constantly provided with Sixty four pounds of good gun powder, one hundred pounds of musquet balls, one hundred Flints, and three Tin or Iron Camp Kettles for every sixty four Soldiers in the Militia of such Town enrolled as aforesaid, and the same proportion of each of the aforesaid Articles for a greater or lesser number. And every Town which shall neglect to keep constantly provided with the said Articles, shall forfeit and pay for the use of the Commonwealth for every sixty four men in such Town which shall be unprovided with the said Articles, the sum of six pounds; to be recovered by presentment in the Court of General Sessions of the Peace in the County to which such Town shall belong; And it shall be the duty of the Brigade Inspector annually to inspect the Magazines of each Town, within the Brigade to which he belongs, and to make complaint to the Grand Jury of the County against all Towns which shall neglect to keep constantly provided as aforesaid.

*And whereas the good Citizens of this Commonwealth are often injured by the discharge of single guns on a Muster day, therefore*

*Be it further enacted by the authority aforesaid,* that no non-commissioned Officer or Private shall unnecessarily fire a musquet or single Gun, in any public road or near any house or near the place of parade, on any day, or evening succeeding the same, on which any Troop or Company shall be ordered to assemble for military duty,



unless embodied under the command of some Officer; and if any non-commissioned Officer or private shall fire a musquet or Gun except as aforesaid, on the said day or evening succeeding without being embodied as aforesaid, he shall forfeit and pay a fine of five shillings for each and every offence as aforesaid, to be sued for recovered and disposed of in the same manner as fines for non appearance on a muster day are recovered and disposed of.

how recovered  
and disposed of.

*And be it further enacted by the authority aforesaid,* that the Adjutant General, the Quarter Master General, Brigade Inspectors, and Adjutants of Regiments, shall receive a reasonable consideration for their services; to be allowed by the General Court. And all Officers serving on military Boards, Courts of Inquiry, and Courts Martial, shall receive pay, while necessarily employed therein, at the same rate as when in actual service: And the Adjutant General or Brigade Majors, as the case may be, shall make up pay Rolls of such military Boards, Courts of Inquiry, and Courts Martial, and lay the same before the General Court for allowance; and they shall receive payment at the Treasury of the sums so allowed, and pay the same over to the Officers who performed the service.

Certain officers  
to receive pay.

Pay rolls to be  
laid before the  
General Court.

*Approved June 22, 1793.*

## 1793. — Chapter 15.

[May Session, ch. 15.]

AN ACT TO ESTABLISH A COLLEGE IN THE COUNTY OF BERKSHIRE WITHIN THIS COMMONWEALTH, BY THE NAME OF WILLIAMS COLLEGE.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* that there be Erected & Established in the town of Williamstown in the County of Berkshire, a College for the purpose of Educating Youth, to be called & known by the name of Williams College, to be under the government & regulation of a Body Politic & Corporate as hereafter in this Act is provided.

College  
established.

*And be it further Enacted by the Authority aforesaid,* that John Bacon, Esquire, Reverend Daniel Collins, Israel Jones, Woodbridge Little, David Noble, Theodore Sedgwick, Tompson J. Skinner, Esquires, Reverend Seth Swift, Henry Vanscaack, Esquire, Reverend Stephen West, Doctor of Divinity, William Williams & Elijah Williams Esquires, together with the President of the said College for the time being, to be chosen as in this Act is hereafter

Persons incor-  
porated.



Their name. directed, he & hereby are created a Body Politic & Corporate by the name of the President & Trustees of Williams College, & that they & their Successors & such others as shall be duly Elected Members of the said Corporation, shall be & remain a Body Politic & Corporate by that name forever.

Their power & authority. *And be it further Enacted by the Authority aforesaid,* that for the more orderly conducting the business of the said Corporation the President & Trustees shall have full power & authority, from time to time, as they shall determine, to elect a Vice President & Secretary of the said Corporation & to declare the tenures & duties of their respective offices, & also to remove any Trustee from the same Corporation when, in their Judgment, he shall be rendered incapable, by Age or otherwise, of discharging the duties of his office, or shall neglect or refuse to perform the same, & to fill up all vacancies in the said Corporation, by electing such persons for Trustees as they shall judge best. *Provided nevertheless,* that the number of the said Trustees, including the President of the said College for the time being, shall never be greater than Seventeen, nor less than Eleven.

Proviso.

Common Seal. *And be it further Enacted,* that the said Corporation may have one common Seal, which they may change, break or renew at their pleasure; And that all Deeds signed & delivered by the Treasurer, & sealed with their Seal by order of the President & Trustees shall, when made in their corporate name, be considered in law, as the Deed of the said Corporation; And that the said Corporation may sue & be sued in all Actions, Real, Personal or mixed and may prosecute & defend the same to final Judgment & Execution, by the name of the President & Trustees of Williams College: And that the said Corporation shall be capable of having, holding & taking in Fee Simple, or any less Estate by gift, grant, devise, or otherwise, any lands, tenements, or other Estate, real or personal; *Provided nevertheless,* that the Annual clear income of the same shall not exceed the sum of Six Thousand pounds.

Corporation may sue and be sued.

Capable of holding estates.

Proviso.

*And be it further Enacted by the authority aforesaid,* that the said Corporation shall have full power and Authority to determine at what times & places their meetings shall be holden, & on the manner of notifying the Trustees to convene at such meetings; And also from time to time elect a President & Treasurer of said Col-

Shall have power to call meetings;

to elect officers;

lege & such Professors, Tutors, Instructors & other officers of the said College as they shall judge most for the interest thereof, & to determine the duties, salaries, emoluments & tenures of their several offices aforesaid: The said President for the time being, when Elected & inducted into his office, to be *ex officio*, President of the said Corporation: And the said Corporation are farther impowered to purchase or erect & keep in repair, such Houses and other buildings as they shall judge necessary for the said College; And also to make & ordain, as occasion may require, reasonable rules, orders & by-laws, not repugnant to the Laws of this Commonwealth, with reasonable penalties for the good government of the said College; & also to determine & prescribe the mode of ascertaining the qualifications of the Students requisite to their admission; — & also to confer such Degrees as are usually conferred by Universities established for the education of Youth — *Provided nevertheless*, that no Corporate business shall be transacted at any meeting unless seven at the least of the Trustees are present: — *And provided further*, that the said Corporation shall confer no Degrees other than those of Bachelor of Arts & Master of Arts until after the first day of January, which will be in the year of our Lord one thousand eight hundred.

to purchase and keep in repair Houses for the College;

to confer degrees.

Provisos.

*And be it further Enacted by the authority aforesaid*, that the clear rents, issues & profits of all the Estate, real & personal, of which the said Corporation shall be seized or possessed, shall be appropriated to the Endowment of the said College, in such manner as shall most effectually promote Virtue & Piety, & the Knowledge of such of the Languages & of the liberal Arts and Sciences as shall hereafter be directed, from time to time, by the said Corporation.

Estates, &c. how appropriated.

*And be it further Enacted by the authority aforesaid*, that the Honorable Tompson J. Skinner, Esquire, he & he is hereby authorized & impowered to fix the time & place for holding the first meeting of the said Corporation, of which he shall give notice, by an advertizement in the Stockbridge News-Papers, at least fourteen days previous thereto.

Tompson J. Skinner Esq. to call a meeting.

*And be it further Enacted by the authority aforesaid*, that the Treasurer of the said College shall, before he enter upon the execution of the duties of his office, give bonds to the said Corporation in such sums & with such Sureties as they shall approve of, conditioned for the faithful discharge of the said office, & for rendering a just

Treasurer to give bonds.

To give up all money, books, &c. at the expiration of his office.

& true account of his doings therein when required — And that all the money, securities & other property of the President & Trustees of Williams College, together with all the books in which his accounts & proceedings as Treasurer were entered & kept that shall be in his hands at the expiration of his office shall, upon demand made upon him, his executors or administrators, be paid & delivered over to his Successor in that office. And all monies recovered by virtue of any suit at Law upon such bond shall be paid over to the President & Trustees aforesaid & subjected to the appropriation above directed in this Act.

Legislature empowered.

*And be it further Enacted by the authority aforesaid,* that the Legislature of this Commonwealth may grant any further powers to, or alter, limit, annul, or restrain any of the powers by this Act vested in the said Corporation, as shall be judged necessary to promote the best interests of the said College; & more especially, may appoint & establish Overseers, or Visitors, of the said College, with all necessary powers & authorities for the better aid, preservation & government thereof.

Property vested in the corporation.

*And be it further Enacted by the authority aforesaid,* that all the property, real & personal, belonging to the Trustees of Williamstown Free School, be, & the same hereby is, vested in the Corporation, which by this Act is created.

Grant made to the college.

*And be it further Enacted by the authority aforesaid,* that there be, & hereby is granted to the Trustees of Williams College for the use, benefit & purpose of supporting said College, Twelve hundred pounds, to be paid out of the Treasury of this Commonwealth, — Three hundred pounds of the same to be paid the first day of September one thousand seven hundred & ninety three — And Three hundred pounds annually, on the first day of September, for the three succeeding years.

*Approved June 22, 1793.*

## 1793. — Chapter 16.

[May Session, ch. 16.]

AN ACT TO REVIVE, AND CONTINUE AN ACT INTITLED AN ACT TO PREVENT THE DESTRUCTION OF OYSTERS IN THE SEVERAL PLACES THEREIN MENTIONED.

Preamble.

*Whereas the Act entitled an Act to prevent the destruction of Oysters in the several places therein mentioned*

*made in the Year of our Lord one thousand seven hundred and ninety, has been found usefull and beneficial —*

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the aforesaid Act with all and every clause, matter and thing therein contained be continued, and shall be in force untill the first day of November which will be in the Year of our Lord one thousand seven hundred and ninety seven.*

Former act continued.

*Approved June 22, 1793.*

## 1793. — Chapter 17.

[May Session, ch. 17.]

AN ACT FOR INCORPORATING A RELIGIOUS SOCIETY IN THE TOWN OF PENOBSCOTT IN THE COUNTY OF HANCOCK.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, That John Perkins, Joseph Perkins, Joseph Wardwell, Stover Perkins, Mark Hatch, David Howe, John Bakeman, Roger Lawrence, Aaron Banks, Aaron Banks junr., Smith Woodward, Thomas Slack, Cuninghame Lymburner, John Dobbie, Samuel Rogers, William Readhead, Joseph Calef, Thomas Stevens, James Douglass, Michael Dyer, Robinson Crockett junr., Abraham Perkins Benjamin Lunt, William Turner, John Lee, Richard Hunnewell, Isaac Parker, John Haden, Benjamin Rea, Moses Gay, Hutson Bishop Josiah Crawford, John Cowon, Jonathan Holbrook, Benjamin Redman, George Haliburton, Benjamin Courtney, Francis Adams, Abel Hosmer, Samuel Russell, Robert Magee, Joseph Lowell, Barnabas Higgins, Stephen Littlefield, John Bray, John Bray junior, George Darrow Ephraim Cook, William Preston, Archibald Heney, William Webber, David Willson, Thatcher Avery, Jeremiah Jones, Oliver Parker, James Crawford Elisha Dyer, Daniel Perkins, Pelatiah Westcoat, Pelatiah Tapley, David Jenkins, William Hutchins, Joseph Webber, James Scott, John Collins, Andrew Herrick, Elijah Winslow, Battery Manning Powars, Gershom Varnum, Matthew Varnum, Eliphalet Lowell, Ephraim Blake, John Redman James Leach, David Hawes, Oliver Parker junior Samuel Wasson, Jephtha Hill, Elisha Hopkins, the petitioners together with their Polls, and Estates, together with such others as may join them, be and they hereby are incorporated into a Parish by the nam[e] of the first Parish in the Town of*

Persons incorporated.

Name of parish.



Penobscott with all the privileges powers & immunities which other Parishes in this Commonwealth are by Law entitled to.

Persons by giving notice may join either parish.

*And be it further enacted by the authority aforesaid, that any of the Inhabitants of said Town shall at all times have full liberty to join themselves and their families to either of the Parishes in said Town, Provided they shall signify in writing under their hands, to the Clerk of said Town, thirty days at least previous to the annual meeting of the Inhabitants of said Town in the Month of March or April their determination of being considered as belonging to the Parish to which they may join themselves as aforesaid and any person or persons who shall leave one of the Parishes in said Town and join the other Parish therein shall be holden to pay all legal Taxes, previously assessed upon them and their proportions of their previous debts and charges of the Parish which they shall leave as aforesaid.*

Oliver Parker, Esq. to issue warrant.

*And be it further enacted that Oliver Parker Esqr. be and hereby is authorized to issue his warrant to some principal Member of the said Parish requiring him to warn the Members of the same qualified to vote in Parish Affairs, to assemble at some suitable time and place in said Town to choose such Officers as Parishes are by Law required to choose in the Month of March or April annually, and to transact all matters & things necessary to be done in said Parish.*

*Approved June 22, 1793.*

### 1793. — Chapter 18.

[May Session, ch. 18.]

AN ACT TO INCORPORATE CERTAIN LANDS IN THE TOWN OF DEDHAM IN THE COUNTY OF NORFOLK INTO A COMMON FIELD.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same, that the Lands in Dedham lying within the limits hereafter expressed known by the name of Purgatory Swamp beginning at Purgatory brook, so called, & running Southwardly on said brook so far as to include the lands of Ira Draper & Jonathan Dean, thence running Westerly on the South line of said Draper's & Dean's land to the upland, thence Northerly on the line which separates the Meadow from the upland so far as to include the*

Boundaries.



land of Oliver Morse & John Ellis, thence Easterly on the North line of said Morse's & Ellis's land to the brook first mentioned, be, & hereby are incorporated into a Common & General Field, & the owners thereof are invested with all powers & privileges which the owners of Common & General Fields are or may be invested with by Law.

Common field incorporated.

Approved June 22, 1793.

### 1793. — Chapter 19.

[May Session, ch. 19.]

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT TO PREVENT DAMAGE BY HORSES GOING AT LARGE.

*Whereas the same damage which arises from horses going at large is frequently done by Asses, and Mules, and Whereas the Act made in February one thousand seven hundred and Eighty nine to prevent said damage by horses is confined only to horses and horse kind —*

Preamble.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same —* That the said Act, and every clause and part thereof shall extend to Asses, and Mules, and that the same proceedings shall be had with respect to them, as are provided in the said Act with respect to horses.

Former act extended.

Approved June 22, 1793.

### 1793. — Chapter 20.

[May Session, ch. 20.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER SHEEPSCOTT RIVER IN THE COUNTY OF LINCOLN & FOR SUPPORTING THE SAME.

*Whereas the erecting a Bridge over Sheepscott River above the falls at Averill's ferry between the towns of Pownalborough & Newcastle in the County of Lincoln will be of great public convenience — And whereas David Sylvester Esqr. & others have presented a petition to this Court praying that they, & such as may associate with them, may be incorporated for the purpose of building the same with power to collect reasonable toll for their compensation.*

Preamble.

*Be it therefore enacted by the Senate & House of Representatives in General Court assembled & by the authority of the same,* that the said David Sylvester, John Page & Timothy Parsons, with such other persons as may hereafter associate with them for that purpose, be & they hereby are

Persons incorporated.

Their name & power.

May have a common seal.

Meeting of the Proprietors, how called.

To choose a Clerk and transact other business.

Proviso.

Acts and proceedings to be recorded.

Bridge may be erected with a draw & piers.

made & constituted a corporation & body politic, for the purpose aforesaid by the name of the proprietors of Sheepscott river bridge & by that name may sue & be sued to final judgment & execution, & do & suffer all matters acts & things which bodies politic may or ought to do or suffer, & the said corporation shall and may have & use a common seal, & the same may break & alter at pleasure.

*And be it further enacted by the authority aforesaid* that the said David Sylvester, John Page & Timothy Parsons or any two of them, may by advertisement in any of the News-papers printed within the district of Maine warn or call a meeting of the proprietors, to be holden at any suitable time & place after thirty days from the first publication of the said advertisement, and the proprietors by a vote of a majority of those present or duly represented at the said meeting, accounting & allowing one vote to & for each single share, in all cases, (*provided however* that no one proprietor shall be allowed more than ten votes) shall choose a Clerk who shall be sworn to the faithful discharge of his said Office; and shall also agree on a method of calling future meetings, & at the same or a subsequent meeting or meetings, may elect such Officers & make & establish such rules & bye laws as to them shall seem necessary or convenient for the regulation & government of the said corporation, for carrying into effect the purpose aforesaid & for collecting the toll hereinafter granted & established; & the same rules & bye laws may cause to be executed, & may annex penalties to the breach thereof not exceeding thirty shillings, *provided* the said rules & bye laws be not repugnant to the Constitution or Laws of this Commonwealth; & all representations at any meeting of the said Corporation shall be filed with the Clerk; and this Act & all rules, bye laws, regulations & proceedings, shall be fairly and truly recorded by the said Clerk in a Book or Books to be provided & kept for that purpose.

*And be it further enacted by the authority aforesaid* that the said proprietors be & they are hereby permitted & allowed to erect a bridge over Sheepscott River at Averill's ferry aforesaid, with a convenient draw for the passing of Vessels at least twenty eight feet wide which draw shall be lifted for all vessels without toll or pay during day light in each day; And there shall be provided & built by the said proprietors a suitable wharf or

pier for the accommodation of all vessels intending to pass the aforesaid draw. And all vessels intending to pass the said draw shall lay free of charge at the wharf or pier, untill a suitable time shall offer for passing the said draw, and the said proprietors shall constantly keep some suitable person or persons, at the said bridge for raising such draw for the purpose of letting vessels pass through the same. And for the purpose of reimbursing them the money by them to be expended in building & supporting such bridge, it is hereby *further enacted by the authority aforesaid*, that a toll be & hereby is granted & establish'd for the sole benefit of the said proprietors according to the rates following, *vizt.* for each foot passenger two pence, for each horse & rider sixpence; for each horse & chaise, chair or sulkey one shilling; for each riding sleigh, drawn by one horse eight pence; for each riding sleigh drawn by more than one horse one shilling; for each Coach, Chariot, Phaeton or other four wheel carriage for passengers one shilling & eight pence; for each Curricule one shilling; for each cart sled sleigh or other carriage of burthen drawn by more than one beast nine pence; for each horse without a rider & for neat cattle three pence each; for sheep & swine six pence pr. dozen; And one person & no more shall be allowed to each team as a driver to pass free of toll; and at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open; & the said toll shall commence on the day of the first opening of the said bridge for passengers & shall continue for the term of seventy years from said day — & at the place where the toll shall be received, there shall be erected & constantly exposed to open view, a sign or board with the rates of toll of all tollable articles fairly & legibly written or painted thereon in large or capital Letters.

Toll established.

Rates of.

Sign board to be erected.

*And be it further enacted by the authority aforesaid*, that the said bridge shall be well built with suitable materials at least twenty four feet wide & well covered with planks with sufficient rails on each side, & boarded up eighteen inches high from the floor of said bridge for the safety of passengers travelling thereon, & the same shall be kept in good, safe & passable repair, at all times, and at the expiration of the term hereby granted to the said proprietors in such bridge the same bridge shall be delivered up to the Commonwealth in good & passable repair.

Bridge to be built with good materials, and kept in repair.

Limited time  
for building.

*And be it further enacted by the authority aforesaid,* that if the said proprietors shall neglect for the space of three years from the passing this Act to build & erect said bridge then this Act shall be void & of no effect.

*Approved June 22, 1793.*

## 1793. — Chapter 21.

[May Session, ch. 21.]

AN ACT FOR INCORPORATING JAMES SULLIVAN ESQUIRE & OTHERS BY THE NAME AND STYLE OF "THE PROPRIETORS OF THE MIDDLESEX CANAL."

Preamble.

*Whereas James Sullivan Esqr. and others have petitioned to be incorporated for the purpose of cutting a Canal from the waters of Merrimack River into the waters of Medford River; And whereas it is represented that sundry persons are ready to raise funds sufficient for the purpose of opening the same Canal;*

Persons incor-  
porated.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled* that the said James Sullivan, Oliver Prescott, James Winthrop, Loami Baldwin, Benjamin Hall, Jonathan Porter, Andrew Hall, Ebenezer Hall, Samuel Tufts junior, Aaron Brown, Willis Hall, Samuel Swan junr. & Ebenezer Hall junr. their Associates and Successors are hereby incorporated and shall be a Corporation forever under the name of the Proprietors of the Middlesex Canal and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and shall be, and hereby are vested with all the powers and privileges which are by Law incident to Corporations of a similar nature.

Justice em-  
powered to call  
a Meeting.

*And be it further enacted by the authority aforesaid,* That the said Proprietors or any three of them may make their application to any Justice of the Peace for the County of Middlesex, requesting him to call a meeting of the said Proprietors to be holden at some convenient place within the Town of Medford in the same County, whereupon such Justice is hereby empowered to issue his Warrant to one of said Proprietors directing him to warn and notify said Proprietors to meet at such time and place in said Town of Medford as he shall therein direct, to agree on such method as may be thought proper for calling meetings of said Proprietors for the future and to do and transact such matters and things relating to the said Pro-



priety as shall be expressed in the Warrant, and the Proprietor to whom such Warrant shall be directed shall give notice to said Proprietors by causing the same or the substance thereof to be published in one of the Boston Newspapers fourteen days before the holding of said meeting and make return thereof under his hand to the same meeting to be lodged with the Clerk that shall be then and there chosen. And the said Proprietors may at the same or any other legal meeting choose a Clerk, Treasurer and other officer or officers of the corporation that they may deem necessary, and also may choose a Committee for ordering and regulating the Bussiness and affairs of the said Corporation; and every Proprietor shall have a right to vote in the Proprietary meetings according to his share and interest in person or by representation in the following ratio; *vizt.* From one hundred to three hundred dollars inclusive there shall be allowed one vote; from [the] three hundred and one to six hundred dollars inclusive shall be allowed one vote more, and for every thousand above one thousand shall be allowed one vote more.

Notice to be given in a newspaper.

Officers to be appointed.

Ratio of voting.

*Provided* no one Proprietor shall have more than twenty votes; all representations to be proved in writing signed by the person making the same, by special appointment which shall be filed with and recorded by the Clerk, and this act and all rules, regulations and votes of the said Corporation, shall be fairly and truly recorded by the said Clerk in a book or books for that purpose to be provided and kept. *Provided*, that whereas it may be necessary in the prosecution of the foregoing bussiness, that the property of private persons may (as in the case of high ways) be appropriated for the public use, in order that no person may be damaged by the digging and cutting canals through his land, by removing mills or mill dams, diverting water courses or flowing his land by the Proprietors aforesaid without receiving full and adequate compensation therefor; *Be it enacted by the authority aforesaid* that in all cases where any person shall be damaged in his property, by the said Proprietors for the purposes aforesaid in manner as is above expressed, or in any other way, & the proprietors aforesaid do not within twenty days after being requested thereto, make or tender reasonable satisfaction to the acceptance of the person damaged by them as aforesaid, the person so damaged may apply to the Court of the General Sessions of the peace for the

Clerk to keep records.

Proviso.

Method of procedure by persons who may be damaged in their property by cutting the Canal.



County in which the damage shall have been sustained to have a Committee appointed by said Court at his own expence to estimate the damage so done and the said Court are hereby authorized and empowered by warrant under the seal thereof upon such application made, if within one year from the time of the damage done as aforesaid to appoint a Committee of five disinterested freeholders in the same County to estimate the damages; which Committee shall give seasonable notice to the persons interested and to the Clerk of the proprietors aforesaid of the time and place of their meeting and they shall be under oath to perform said service according to their best skill and judgment; which having done they or the major part of them shall make return thereof under their hands and seals, to the next Court of General Sessions of the Peace to be holden in said County after the same service is performed, to the end that the same may be accepted allowed and recorded; and the Committee so empowered are required to estimate the said damage and make return thereof as aforesaid; and if the estimate of the Committee be accepted by the Court, the Clerk of the Court is hereby authorized and directed on application therefor to issue an execution against the property only of the corporation, or of any individual belonging thereto, for the sum so adjudged in damages, *provided* the same is not paid within twenty days after the acceptance of said report, and likewise for the cost of the said Committee, and fees of the Court, both to be allowed by the Court, *provided* the sum of damages estimated by the Committee exceed the sum of damages so tendered; But in case the Proprietors actually tendered to the person complaining before the complaint was exhibited a sum as great as that allowed by the Court in damages then nothing to be included in the execution for costs of Committee or Court; The execution to be issued by the Clerk of the Court to be in the same terms, *mutatis mutandis*, and returnable in the same time as though judgment had been rendered against said Corporation for a like sum in damages on process in the Court of Common Pleas; and if any person find himself aggrieved by the doings of said Committee, in estimating damages, he may apply to said Court of General Sessions of the Peace, *provided* such application be made to the same Court at the next Session thereof in the same County after the acceptance of such return; and

Proviso.

said Court is empowered to hear and finally determine the same by a Jury under Oath to be summoned by the Sheriff or his Deputy for that purpose if the person complaining desires the same or by a Committee if the person complaining and the proprietors can agree thereon. And if the Jury or Committee agreed on as aforesaid, who are to be under Oath, shall not increase the sum of damages, the person complaining shall be at the cost arising on such complaint, to be taxed against him by the said Court, otherwise such cost and increase of damages shall be paid by the Proprietors and execution to issue therefor as aforesaid expressed. And it shall be the duty of such Committee or Jury on application of either of the parties, and reasonable notice given to all persons interested, to determine where and how many Bridges shall be made and maintained, by said proprietors over the Canal aforesaid, and how the same shall be constructed and what damages shall be paid by the proprietors for neglecting to make and maintain such Bridges; and the report of such Committee, or verdict of such Jury being returned into the same Court and being allowed and recorded shall be a sufficient bar against any action brought for damages aforesaid, saving only that where the sum of damages is not estimated at a sum in gross for the full satisfaction thereof but a yearly sum is assessed, in such case the complainant shall be intitled to an action of debt for the recovery of the same so often as the same becomes due, during the continuance of the damage done or suffered as aforesaid, and also for the recovery of the damages, for neglecting to make and maintain the Bridges as often as the same is demandable. *Provided* that no part of the waters of Shawshine river shall be diverted from their natural course for the purpose aforesaid; & that no dwelling house shall be removed or water course turned or altered whereon any Mill is erected so as to injure such Mill without licence therefor first had and obtained from the Court of General Sessions of the Peace of the County in which such house may stand or through which such water course may pass: And the said Court of Session on application made to them by the said proprietors shall observe the same rules as are prescribed by Law when application is made to them for granting a public highway. *Provided also* that the waters of Merimack River shall not be so diverted from their natural course as to

No water-course to be altered nor removed without licence.

impede or any way interrupt the water carriage down the Merrimack river to the mouth thereof.

Penalty in case  
of damage to  
Canal.

*And be it further, enacted* That if any person[s] or persons shall wilfully maliciously and contrary to Law take up remove, beat down, dig under or otherwise damnify any dam, canal or Lock or part thereof designed for the purposes aforesaid, damnify, carry away or set afloat to be carried away any boards, plank, joist or other timber or materials used or to be used in or about said works or shall be aiding or assisting in any of the trespasses aforesaid, he shall for every such offence forfeit and pay to the proprietors aforesaid treble such damages as the said Proprietors shall to the Justice or Court and Jury before whom the trial shall be, make appear that they have sustained by means of the same trespass, to be sued for & recovered in any Court proper to try the same, and such Offender or offenders shall be liable to presentment by the Grand Inquest for said County of Middlesex for any offence or offences against this law, & on conviction thereof on such presentment before the Court of General Sessions of the peace for said County, or before the Supreme Judicial Court, shall be liable to pay a fine to the use of the Commonwealth of not more than twenty pounds nor less than five pounds or be imprisoned for a term not more than three months nor less than thirty days, at the discretion of the Court before whom the conviction shall be.

Proprietors  
empowered to  
purchase and  
hold real estate.

*And be it enacted by the authority aforesaid,* that the proprietors aforesaid be, and they hereby are authorized and empowered to purchase & hold to them and their successors forever so much land & real estate as may be necessary for the purposes aforesaid, not exceeding the value of five thousand pounds.

Toll estab-  
lished.

*And be it further enacted by the authority aforesaid,* that for the purposes of re-imbursing the said proprietors the money by them expended or to be expended in building and supporting the dams, canals and locks and clearing the passages necessary for the purposes aforesaid, a toll be and is hereby granted and established for the sole benefit of the proprietors according to the rates following; *viz*; For every ton weight that shall be transported in boats or other Vessels through the said Canal between the Bridge in Medford & Merrimack river the sum of four pence for each mile — for all masts, timber & lumber

Rates of —

floated on raft or otherwise through the same Canal the sum of four pence a ton for each mile.

*And be it further Enacted by the authority aforesaid,* that there shall be toll gatherers and others to attend all Locks on said Canal in the day time and on the same Canal at suitable places, who shall give constant attendance at their respective stations during the whole of the season for boats & rafts to pass, & on the toll being paid, shall immediately permit passengers with their property to pass the said Locks and Canal: And the said toll shall commence on said Canal, as soon as the same or any part thereof shall be compleated, & shall continue forever: *Provided* that when forty years from the first opening thereof are expired, the General Court from thence forward may regulate the rate of toll, and the same shall be collected in such manner as shall be prescribed to the said Corporation.

Toll gatherers  
to be appointed.

General Court  
to regulate the  
toll.

*And be it further Enacted by the authority aforesaid,* that if the proprietors aforesaid shall refuse or neglect for the space of ten years after the passing this Act to build and compleat such Canal so as to be passable in manner as aforesaid then this Act so far as it respects the same shall be void and of none effect.

Time limited  
for completing  
the Canal.

*Approved June 22, 1793.*

## 1793. — Chapter 22.

[September Session, ch. 1.]

AN ACT TO INCORPORATE THE EAST PART OF GREENFIELD IN THE COUNTY OF HAMPSHIRE INTO A TOWN BY THE NAME OF GILL.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* that all the East part of the Town of Greenfield in the County of Hampshire hereafter described shall be sett off & incorporated into a Town by the name of Gill, begining at the center of Fall River so called where it empties into Connecticut River running on said Connecticut River with its angles, three thousand eight hundred & fifteen rods to a Black Oak Tree, on Northfield line from thence westerly on Northfield and Bernardston line to the centre of the above mentioned Fall River, from thence southerly down the centre of said River to the first mentioned bounds with all the Inhabi-

Boundaries.



Gill incorporated.

tants thereon living be and hereby are incorporated into a separate Town by the name of Gill — with all the powers privileges and immunities that Towns within this Commonwealth do or may enjoy.

— To pay all arrearages of taxes and debts.

*And be it further enacted by the authority aforesaid* That the Inhabitants of the said Town of Gill shall be subject to, and pay all rates and taxes heretofore assessed upon them while they belonged to the Town of Greenfield in the same manner, as though this Act had not been passed; and shall be subject to pay their part of all debts due from said Town of Greenfield in the same proportion as the public taxes were paid in the year of our LORD one thousand seven hundred & ninety two, and also shall receive according to the same rule of proportion their part of all public lands, and of all other public property whatsoever belonging to the said Town of Greenfield at the time of passing this Act.

— To maintain certain poor.

*And be it further enacted* that the said town of Gill shall be holden to maintain all persons belonging within the bounds thereof who now are or shall hereafter become chargeable and provided any person or persons who have removed from said Town of Greenfield shall hereafter be returned as the poor of said Town then & in such case the said town of Gill shall be holden to take and support as their poor, all those who immediately before such removal were the Inhabitants of that part of Greenfield which is now Gill.

— To join with Greenfield in the choice of Representative.

*And be it further enacted by the authority aforesaid* that untill the said Town of Gill shall have a sufficient number of rateable Polls to entitle them to send a Representative, they shall assemble and meet with the Town of Greenfield for the purpose of choosing a Representative to serve in the General Court of this Commonwealth — The said Meeting to be holden in the Towns of Greenfield & Gill alternately.

David Smead, Esq. to issue warrant.

*And be it further enacted by the authority aforesaid;* That David Smead Esqr. be and he hereby is authorized and empowered to issue his Warrant to some principal Inhabitant of the said Town of Gill requiring him to notify and warn said Inhabitants to meet at some convenient time and place in said Town, to choose all such Officers, as other Towns are by Law required to choose in the Month of March or April annually.

*Approved September 28, 1793.*



1793. — Chapter 23.

[September Session, ch. 2.]

AN ACT TO ESTABLISH AN ACADEMY IN THE TOWN OF GROTON,  
BY THE NAME OF GROTON ACADEMY.

*Whereas the encouragement of literature among the rising generation has ever been considered by the wise and good as an object worthy of the most serious attention, and the happiness of the Community requires the dissemination of knowledge and learning among all classes of citizens; And whereas it appears from a petition of a large number of the inhabitants of the town of Groton, and its vicinity, that a sum of money has been subscribed towards erecting a suitable building for, and supporting an Academy in the said town; and as such an Institution besides encouraging the interest of literature and the sciences, and diffusing useful knowle[d]ge in that part of the Commonwealth, may otherwise essentially promote the interest thereof;*

Preamble.

*Therefore be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that there be, and hereby is established in the town of Groton, in the County of Middlesex, an Academy by the name of Groton Academy for the purpose of promoting piety and virtue, and for the education of youth in such languages, and such of the liberal arts and sciences as the trustees shall direct: And the honorable Oliver Prescott esqr. the Revd. Daniel Chaplin, the Revd. Zabdiel Adams, the Revd. Phineas Whitney, the Revd. John Bullard, the Revd. William Emerson, the honorable Josiah Stearns esqr. Colo. Henry Bromfield, James Winthrop, Henry Woods, Joseph Moors, Oliver Prescott junr. Samuel Dana, Timothy Bigelow, and Aaron Brown Esquires, be, and they hereby are nominated and appointed Trustees of the said Academy, and they are hereby incorporated into a body politic, by the name of The Trustees of Groton Academy; and they, and their successors shall be, and continue a body politic and corporate by the same name forever.*

Academy established.

Trustees.

*And be it further Enacted that all the lands and monies heretofore given or subscribed, or which for the purpose aforesaid shall be hereafter given granted and assigned unto the said Trustees, shall be confirmed to the said*

Lands confirmed to the Trustees.

Trustees made capable of receiving and holding property, with a

Proviso.

Trustees empowered to elect Officers, &c.

Trustees and their successors in that trust forever, for the uses which in such instruments shall be expressed; and they the said Trustees shall be further capable of having holding and taking in fee simple by gift, grant, devise or otherwise, any lands, tenements, or other estate real or personal, *provided* the annual income of the same shall not exceed five thousand dollars, and shall apply the rents and profits thereof, in such manner, as that the end and design of the Institution may be most effectually promoted.

*Be it further Enacted*, that the said Trustees shall have full power from time to time, as they shall determine to elect such officers of the said Academy as they shall judge necessary and convenient, and fix the tenures of their respective offices; to remove any Trustee from the Corporation, when in their opinion he shall be incapable through age or otherwise of discharging the duties of his office: to fill all vacancies by electing such persons for Trustees as they shall judge best, to determine the times and places of their meetings — the manner of notifying the said Trustees — the method of electing or removing Trustees, to ascertain the powers and duties of their several officers; to elect Preceptors & teachers of said Academy; to determine the duties and tenures of their offices; to ordain reasonable rules, orders, and bye laws not repugnant to the laws of the Commonwealth with reasonable penalties for the good government of the Academy, as to them the said Trustees and their successors shall from time to time, according to the various occasions and circumstances seem most fit and requisite; all which shall be observed by the officers Scholars and Servants of the said academy, upon the penalties therein contained.

Common Seal.

*Be it further Enacted*, that the Trustees of the said academy may have one common seal, which they may change at pleasure; & that all deeds made, signed and sealed with said common seal, and duly executed by the Treasurer or Secretary of said Trustees, by their order, shall be considered valid in law as good deeds of bargain and sale: And that the Trustees of said academy may sue and be sued, in all actions real, personal and mixed, and prosecute and defend the same unto final judgment and execution, by the name of the Trustees of Groton academy.

Number of Trustees.

*Be it further Enacted by the authority aforesaid*, that the number of said Trustees shall not at any one time be more than fifteen nor less than nine, five of whom shall constitute a quorum for doing business, and a majority of

the members present at any legal meeting shall decide all questions proper to come before the Trustees — that the major part of them shall consist of men who are not inhabitants of the town of Groton.

*And it is further Enacted* that Aaron Brown esqr. be and he hereby is authorized and impowered to fix the time and place for the holding the first meeting of the said Trustees, and to notify them thereof.

Aaron Brown,  
Esq. author-  
ized.

*Approved September 28, 1793.\**

### 1793. — Chapter 24.

[September Session, ch. 4.]

AN ACT TO ESTABLISH AN ACADEMY IN THE TOWN OF WESTFORD BY THE NAME OF WESTFORD ACADEMY.

*Whereas the encouragement of Literature among the rising generation, has ever been considered by the wise and good, as an object worthy of the most serious attention; and the freedom and happiness of the community require the dissem[ni][in]ation of knowle[d]ge and learning among all classes of citizens; And whereas it appears, to this Court, that Zacheus Wright, esquire, and other generous persons have subscribed upwards of One thousand pounds, for the benevolent purpose of erecting a suitable building for an Academy, and supporting the same in said Town, and that a comodious building is now erected for that purpose; And as such an institution, besides encouraging the interest of literature and the sciences and diffusing useful knowle[d]ge in that part of the Commonwealth, may otherwise essentially promote the interest thereof,*

Preamble.

*Be it therefore, enacted by the Senate and House of Representatives, in General Court assembled and by the authority of the same, That there be and hereby is established in the Town of Westford, in the County of Middlesex, an Academy by the name of Westford Academy, for the purpose of promoting piety and virtue, and for the education of youth, in such languages, and such of the liberal arts and sciences, as the Trustees shall direct; and that the Revd. Moses Adams, Revd. Caleb Blake, Revd. Ezra Ripley, Honble. Ebenezer Bridge & Joseph B. Varnum Esqrs. Zaccheus Wright, Sampson Tuttle & James*

Academy  
established.

\* The latter portion of this engrossed act was accidentally rendered illegible after approval by the governor. The new draft made of that part is signed by the presiding officers of both branches of the general court, but not by the governor.

Trustees  
incorporated.

Prescott Junr. Esqrs. Messrs. John Abott Jonathan Carver & Charles Proctor be and they hereby are nominated and appointed Trustees of the said Academy ; & they are hereby, incorporated into a body politic by the name of The Trustees of Westford Academy, and they and their successors, shall be and continue, a body politic and corporate, by the same name forever.

Gifts, &c. confirmed to said Trustees, for the use of the Academy.

*And be it further enacted by the authority aforesaid,* That all the lands and monies, and other property and things, heretofore given, granted, or subscribed, or which, for the purpose aforesaid, shall be hereafter given, granted, devised, bequeathed, transferred, or assigned unto the said Trustees, shall be confirmed to the said Trustees and their successors in that trust forever, for the use which, in such instrument or instruments shall be expressed ; and they the said Trustees shall be further capable of taking, having and holding in fee simple, by gift, grant, devise, bequest, or otherwise, any lands, tenements, hereditaments, or other estate, real or personal, provided the annual income thereof shall not exceed the sum of Five thousand dollars and shall apply the rents and profits thereof in such a manner, as that the end and design of the institution may be more effectually promoted.

Trustees empowered —

*And be it further enacted by the authority aforesaid,* That the said Trustees shall have full power from time to time, as they shall determine to elect such Officers of the said Academy as they shall judge necessary and convenient, and fix the tenures of their respective offices ; to remove any Trustee from the corporation, when in their opinion he shall be incapable, through age or otherwise, of discharging the duties of his office ; to fill all vacancies in the corporation, by electing such persons for Trustees as they shall think fit and best ; to determine the times and places of their meetings, the manner of notifying the said Trustees and the method of electing and removing Trustees ; to ascertain the powers and duties of their several officers ; to elect Preceptors and Teachers of said Academy and to determine their powers and duties, and fix the tenures of their offices ; to make and ordain reasonable rules, orders and bye laws not repugnant to the laws of this Commonwealth, with reasonable penalties for the good government of the said Academy, as to them the said Trustees, and their Successors, shall from time to time, according to the various occasions and circum-

— to choose  
Officers, &c.



stances seem most fit and requisite all which shall be observed by the officers, students and servants of the said Academy, upon the pains and penalties therein contained.

*And be it further enacted by the authority aforesaid,* That the Trustees of the said Academy may have one common Seal, which they may, at pleasure, break, alter and renew, and that all deeds signed, sealed, with their seal, delivered and acknowle[d]ged by the Treasurer or Secretary of said Trustees by their order shall when made in their name, be considered as their Deed, and valid in law, and that the Trustees of said Academy may sue and be sued, in all actions, real, personal or mixed, and prosecute and defend the same unto final judgment, execution and satisfaction, by the name of The Trustees of Westford Academy.

Common Seal.

Trustees may sue, and be sued.

*And be it further enacted by the authority aforesaid,* That the number of said Trustees shall not at any one time, be more than fifteen, nor less than nine, five of whom shall constitute a quorum for transacting bussiness, and a majority of the members present at any legal meeting, shall decide all questions proper to come before the Trustees; and that a major part of said Trustees shall consist of men who are not Inhabitants of the Town of Westford.

Number of the Trustees limited.

*And be it further enacted by the authority aforesaid,* That Zacheus Wright Esquire be, and he hereby, is authorized and impowered to fix the time and place for holding the first meeting of said Trustees, and to notify them thereof.

Zacheus Wright, Esq. impowered.

*Approved September 28, 1793.*

## 1793. — Chapter 25.

[September Session, ch. 3.]

AN ACT TO EMPOWER THE PROPRIETORS OF THE SOUTH MEETING HOUSE IN THE SOUTH PARISH IN DANVERS, IN THE COUNTY OF ESSEX, TO RAISE MONEY BY A TAX ON THE PEWS AND SUCH SEATS IN THE SAID MEETING HOUSE, AS THE PROPRIETORS OF SAID MEETING HOUSE SHALL THINK PROPER, AND MAKING PROVISION FOR THE DISSOLUTION OF SAID PARISH.

*Whereas application has been made to this Court by the Inhabitants of the South Parish in Danvers in the County of Essex, representing, that many inconveniences arise to them from their present mode of supporting and maintaining a public Teacher of Religion, and for paying other*

Preamble.



*charges incidental thereto, and desiring that for the future the same may be done by taxes to be laid on the Pews and such seats, as the Proprietors of said Meeting house shall think proper and that said Parish may be dissolved.*

Proprietors  
impowered.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* that the Proprietors of said South meeting house, be and hereby are authorized and impowered to raise by a tax on the Pews and such Seats in said Meeting house as are above mentioned such sum or sums of money as the Proprietors thereof, at a legal meeting called for that purpose shall vote and agree upon, for the purpose of supporting and maintaining a public teacher of piety religion and morality, for defraying the ministerial and all other charges incident thereto; and at such meeting to choose all such Officers as are, or shall be necessary to manage and transact all the bussiness of said Propriety.

Further em-  
powered.

*And be it further enacted by the authority aforesaid,* that the Proprietors of said South meeting house, be and are hereby empowered by themselves or their Committee, duly chosen, to cause the Pews and Seats in the said Meeting house to be valued according to the convenience and situation thereof, and to alter from time to time such valuation, as may be found necessary, and to determine what sum each Pew or part of a Pew and Seat shall pay, toward the expences and charges aforesaid, and the time and manner in which the same shall be paid; and if any Proprietor or Owner of a Pew or part of a Pew or Seat shall neglect or refuse to pay the sum or sums assessed thereon for a longer time than twenty days after notice of such assessment having been given him by the Collector, such Proprietor or owner shall pay to the use of said Proprietor[s], over and above the said Tax or assessment, from the expiration of said twenty days, at and after the Rate of Six per Centum per annum on such Tax or assessment, and if the same together with the Interest aforesaid shall not be paid within one Year from the expiration of said twenty days the said Proprietors may and are hereby authorized & empowered, by themselves or their Committee to sell & dispose of the Pew or part of a Pew or Seat of such delinquent, in such way and manner as shall be agreed on by said Proprietors, and after deducting from the Sale thereof, the said Tax or Assess-

Proprietors  
may sell pews  
for taxes.

ment with the Interest thereof, accruing as aforesaid, and the charges of the sale, the overplus (if any) shall be paid to the person so delinquent; *Provided nevertheless*, Proviso. that when the Proprietor or owner of any Pew or part of a Pew or Seat, shall make a tender of the same to the said Proprietor[s] or their Committee for the sums the same shall be valued at as aforesaid, and they shall refuse or neglect to accept the same, no further sum shall be deducted out of the Sale of said Pew or part of a Pew or Seat, but such only as shall have become due before the making such tender, and the charges of sale.

*And be it further enacted by the authority aforesaid*, that from and after the passing this Act, the said South Parish shall cease to exist and be a Parish, excepting only Dissolution of the South Parish. for the purposes and intents following, that is to say, for settling and fully compleating all such transactions and accounts relating to the same, and collecting all such sums of Money as have heretofore been Voted & assessed on the Inhabitants thereof; and now remain uncollected & for making a settlement with their collector & Treasurer, and to be liable in law for all debts, which as a Parish, they may now owe, if any such there be, & in case there is not Money already Voted and assessed sufficient to pay and discharg[e] such debts, to vote such further sums as may or shall be necessary therefor, & to choose such Officers as may be necessary to assess collect & receive the same, and for holding and managing all lands Tenements & heridittaments already belonging to the Inhabitants of said Parish, in case the same should not enure & vest in the Proprietors of the said South Meeting house as is herein after mentioned.

*And be it further enacted by the authority aforesaid* that all the Lands Tenements and hereditaments which do now belong to the Inhabitants of said Parish for the use of the Ministry, or for the use of the said Parish, or for any other uses and purposes shall forthwith enure and be vested in the Proprietors of said South Meeting house, for the use of the Ministry, or for such other uses and purposes, and in as full and ample a manner, as the said Inhabitants of said Parish had and would have had, if the said Parish had not been dissolved; and the said Proprietors of said South Meeting house are hereby constituted and declared to be the Successors of said South Parish in Danvers, and shall be vested with all the powers & privi- Lands vested in certain Proprietors.

liges that Precincts or Parishes within this Commonwealth are vested with, relative to their agreeing with & settling a Public teacher or teachers of piety religion and morality; & shall likewise be liable to all penalties that parishes or precincts are liable to for their neglect in not settling and supporting such public teacher.

Clerk,

— his duty.

*And be it further enacted by the authority aforesaid* that in case there should be no Clerk of said Parish in existence, that then all the Records, Books and papers which did belong to, or any way respect the said Inhabitants of said Parish, shall be delivered by the person in possession of the same to the Clerk of the Proprietors of said Meeting house, to be carefully & safely kept. — and it is hereby made the duty of such Clerk, to make out true correct & attested Copies of all such papers & records relating to said Parish, at the request of any person desiring the same, he paying to such Clerk the legal fee for copying the same, all which Copies signed and attested by such Clerk, shall be as valid as though said Parish had continued, and as though the same had been attested by the Clerk of said Parish.

Richard Ward,  
Esq. to issue  
warrant.

*And be it further enacted by the authority aforesaid,* that Richard Ward Esqr. be and he is hereby empowered to issue his Warrant, directed to some principal Proprietor of said South Meeting house, requiring him to notify and warn the Proprietors thereof, to meet and assemble at such time at said Meeting house, as by said Warrant shall be appointed, to choose all such necessary Officers as by Law are required, & are usual for Proprietors of Real Estates to choose at their annual meeting. — And that the Proprietors of said Meeting house may at such Meeting, agree and determine on a time for their annual meetings, and on a mode for calling those, and all other occasional meetings and the place of such meetings.

*Approved September 28, 1793.*

## 1793. — Chapter 26.

[September Session, ch. 5.]

### AN ACT FOR NATURALIZING PIERRE BRIAMANT.

Preamble.

*Whereas Pierre Briamant resident in Boston in the County of Suffolk, has petitioned the General Court that he may be naturalized, and be entitled to all the rights and priviledges of a free citizen of this Commonwealth.*

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that Pierre Briamant, first taking and subscribing the oath of allegiance to this Commonwealth before two Justices of the peace, *quorum unus*, shall be deemed, adjudged, and taken to be a free citizen of this Commonwealth, and entitled to all the liberties, privileges, and immunities of a citizen thereof. Naturalization.

*And be it further enacted,* that the Justices before whom the said Pierre Briamant shall take the oath aforesaid shall return a certificate of the same into the Secretary's office, to be entered on the Records of this Commonwealth, within thirty days from the time they shall administer the same. Justices shall return a certificate.

*Approved September 28, 1793.*

## 1793. — Chapter 27.

[January Session, ch. 1.]

AN ACT TO INCORPORATE BENJAMIN GREENLEAF ESQUIRE & OTHERS FOR THE PURPOSE OF ESTABLISHING A WOOLEN MANUFACTORY.

*Whereas Benjamin Greenleaf Esquire and others hereinafter named have associated themselves together for the purpose of introducing and establishing a Wo[ol]len Manufactory in the County of Essex, and have petitioned the General Court, that they may be made a Body Politic and corporate with such powers as may enable them more conveniently and effectually to execute the said purpose: Therefore* Preamble.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* That the said Benjamin Greenleaf Esquire, and Philip Aubin, William Bartlet, Richard Bartlett, Offin Boardman junior, Moses Brown, David Coffin, William Coombs, John Coombs, Mark Fitz, Andrew Frothingham, Jonathan Gage, Abel Greenleaf, John Greenleaf, Michael Hodge, William Peirce Johnson, Nicholas Johnson, James Kettel, Nathaniel Knap, James Knight, Peter Le Breton, Joseph Moulton, William Noyes, John Obrian, Theophilus Parsons, James Prince, William Welstead Prout, Edward Rand, Joseph Stanwood, Ebenezer Wheelwright and Edward Wigglesworth with such other persons, as have with them already associated and all those, who may hereafter become Proprietors in the said Manufactory be, Persons incorporated.



<p>Their name.</p>	<p>and they are hereby constituted and made a body politic and corporate by the name of The Proprietors of the Newbury Port Woolen Manufactory and by that name may sue and be sued, in all actions real personal and mixed, to final judgment and execution, and may do and suffer all acts matters and things which bodies politic may or ought to do and suffer, and may have and use a common seal, and the same may break and alter at their pleasure; <i>Provided however</i>, that any Proprietor, alienating his Interest or property in the said Manufactory shall thereupon cease to be a Member of the said Corporation.</p>
<p>Proviso.</p>	<p><i>And be it further enacted by the Authority aforesaid</i>, That the said Corporation may lawfully be seized and possessed of such real estate, as may be necessary, or convenient for establishing and carrying on the said Manufactory, and also of as large a Personal Estate as shall be actually employed therein. <i>Provided</i> such real estate shall not exceed the value of ten thousand Pounds &amp; the personal estate Eighty thousand Pounds.</p>
<p>Allowed the possession of real estate.</p>	<p><i>And be it further enacted by the Authority aforesaid</i>, That the said Corporation shall have full power from time to time at any legal meeting to choose a Clerk who shall be sworn to the faithful discharge of his duty, a Treasurer and such Officers, Directors, Agents, and Factors as to the said Corporation shall appear necessary or convenient for the regulation and Government of the said Corporation, and for carrying into effect the purpose aforesaid, and to establish the tenures, duties and compensations of the said Clerk Treasurer, Officers, Directors, Agents and Factors; and also to make reasonable rules and Bye Laws for the purposes aforesaid, with reasonable Penalties not exceeding the sum of Ten Pounds Lawful Money thereto annexed, and the same to repeal at their pleasure. <i>Provided however</i> that the same Rules and Bye Laws are not repugnant to the Constitution and Laws of this Commonwealth. And this Act together with all Rules Bye Laws, and other proceedings of the said Corporation, shall be fairly, truly, and seasonably recorded by the Clerk in a Book, or Books to be provided and kept for that purpose.</p>
<p>Their powers in election of officers.</p>	<p><i>And be it further enacted by the Authority aforesaid</i> That all the Shares in the said Manufactory shall be numbered in progressive order begining at Number One, and every original Proprietor shall have a Certificate, under</p>
<p>Proviso.</p>	
<p>Shares to be numbered, and certificates given.</p>	



the Seal of the Corporation, and signed by the Treasurer, certifying his Property in such share as shall be expressed in the said Certificate. And any share may be alienated by the Proprietor by Deed under his hand and Seal, and acknowledged before some Justice of the Peace and recorded by the Clerk in a Book to be kept for that purpose and not in any other manner, except in the cases hereinafter provided. And any Purchaser shewing to the Treasurer such Deed so recorded, and delivering up to him the former Certificate shall be entitled to a New Certificate, executed in form aforesaid, certifying the property of such share to be in the Purchaser. *Provided however,* that when any Proprietor shall die possessed of any share or shares, the Executor of his last Will, if there be one, or Administrator of his Estate, upon producing to the Treasurer the former Certificate or Certificates, shall be entitled to a new Certificate or Certificates, executed in form aforesaid, certifying the Property of such Share or Shares, to belong to such Executor or Administrator, who shall hold such Share or Shares in trust to be disposed of according to the last Will of the deceased Proprietor or according to the provisions of Law. *And provided further,* that any share in the said Manufactory may be attached on original Process or levied upon by execution, at the suit of any Creditor of the Proprietor of such Share, by the Officer, having the Process to execute giving to the Treasurer, or leaving at his place of abode, a Certificate in writing shewing that he hath attached or taken in execution such Proprietor's share at the suit of such Creditor; and the Officer may proceed to sell at Public Auction, and execute and acknowle[d]ge a Deed of such Proprietor's Share, in the same manner, and under the same regulations, and not otherwise, as he might by Law, sell any other chattel of such Proprietor, attached, or levied upon, at the same time, to satisfy the execution of the Creditor. And the Purchaser producing to the Treasurer a Deed under the hand and seal of such Officer, acknowle[d]ged and recorded as aforesaid, shall be entitled to a Certificate from the Treasurer, executed as aforesaid certifying the property of such share to be in the Purchaser. And the Treasurer shall have, recorded in a Book to be kept for that purpose a Schedule of the names of all the Proprietors of the said Manufactory, of the several shares of which each Proprietor is owner and of the

— may be  
alienated

Provisos.

Names of the  
proprietors to  
be recorded,  
& open to  
inspection.

numbers annexed to such Shares; and such Book shall be open to the inspection of any Sheriff, Deputy Sheriff, or Coroner, having process to execute against any Proprietor when demanded, upon payment to the Treasurer by such Officer, of One shilling for each Inspection.

Method of  
raising money.

Appropriations.

Shares may be  
sold on which  
assessments are  
not paid.

Treasurer to  
execute deeds  
in case of such  
sale.

Proviso.

*And be it further enacted by the Authority aforesaid,* That the said Corporation may from time to time at any legal meeting, assess upon each Share, such sum, and sums of Money, as shall be judged by the said Corporation, necessary for raising a Capital, for the establishing and carrying on of the said Manufactory, for defraying the expences thereof, and of other charges incident thereto, to be paid to their Treasurer at such time or times, or by such installments, as shall be directed by the said Corporation; and may also appropriate the Funds of the said Corporation, for erecting Mills, and Work houses, purchasing engines, and raw materials, retaining workmen, and for such other purposes and uses, as may be judged by the said Corporation, or by one or more persons by the said Corporation intrusted therefor, most effectual for establishing and supporting the said Manufactory and for defraying the expences thereof, and the charges incident thereto. And if the Sum assessed on any Share, shall be in arrear and unpaid, either in the whole or in part, for ten days after the time directed for payment as aforesaid, the Treasurer shall have full power and authority to sell such Share at Public Auction, to the highest bidder, the time and place of such Sale being made public, five days at least before such Sale, in such manner as the Corporation shall have before directed by some uniform rule or Bye Law, made for that purpose. And upon such Sale, the Treasurer may execute and acknowledge a legal deed thereof to the highest bidder which Deed being recorded by the Clerk, and produced to the Treasurer so recorded, he shall give to the purchaser a Certificate executed as aforesaid certifying that the property of such Share, is in such purchaser. And the Treasurer shall deduct from the Purchase Money so much of the said assessment as shall be in arrear, and the reasonable charges of Sale, and the residue he shall pay to the delinquent Proprietor or his order, upon demand made to the Treasurer for that purpose. *Provided however* that any delinquent Proprietor, or any other person on his behalf, may at any time before the Sale pay to the Treasurer the sum in arrears as afore-

said, and the reasonable charges the Treasurer may have been at in preparing for the Sale, and upon such payment, the Treasurer shall proceed no further to such Sale.

*And be it further enacted by the Authority aforesaid,* That all Dividends of Monies arising from the profits of the said Manufactory, shall be apportioned upon the several Shares equally; that no Dividend shall be made, but pursuant to a Vote of the Corporation, passed at a Meeting legally called. And if the Treasurer shall neglect or refuse to pay any Proprietor the Dividend in the Treasurer's hands due to such Proprietor on request made, such Proprietor may recover the same, by Action at Law against the Treasurer with double costs of Suit.

Profits to be apportioned equally.

*And be it further enacted by the Authority aforesaid,* That the Clerk for recording any Deed shall be entitled to receive from the Grantee therein named, three shillings and no more. And the Treasurer shall be entitled to the like sum of money for granting any Certificate under the Seal of the Corporation, and signed by him; *Provided however,* he shall not be entitled to any fee, for any such Certificate, when first granted to an original Proprietor.

Clerk's and Treasurer's fees.

Proviso.

*And be it further enacted by the Authority aforesaid,* That any three of the said Proprietors, of which the said Benjamin Greenleaf Esquire shall be one, may by advertisement in the Impartial Herald call the first Meeting of the said Corporation to be holden at any suitable time and place, in the said Advertisement mentioned, five days at the least, after the first publication of such Advertisement; and all future meetings of the said Corporation shall be called in such method, and by such Officer or Officers, as the said Corporation shall, at their said first Meeting, or at any future Meeting hereafter direct. And at any and all Meetings of the said Corporation, every Election, Act, Vote Order or other proceeding of the said Corporation, shall be made and determined by a majority of the Votes given in, and any Proprietor not personally present at any Meeting may Vote by his Representative present, duly appointed by writing under the hand of such absent Proprietor: — which appointment shall be produced and [and] filed with the Clerk. And no Person shall be taken to be a Proprietor, qualified to Vote at any meeting after the first, either Personally or by his Representative unless he hath received from the Treasurer, a Certificate, under the Seal of the said Corporation, and signed by the Treas-

Persons authorized to call meetings.

Method of procedure in meetings.

urer certifying such Proprietors property in the said Manufactory, in manner as above in this Act is directed.

*And be it further enacted by the Authority aforesaid,* That this Act shall be deemed and taken to be a Public Act and as such, may be declared upon and given in evidence in any Court of Law, without specially pleading the same.

January 29, 1794.\*

### 1793. — Chapter 28.

[January Session, ch. 2.]

AN ACT TO INCORPORATE THE PLANTATION OF SANDY RIVER WITH THE INHABITANTS THEREOF INTO A TOWN BY THE NAME OF FARMINGTON.

Preamble.

*Whereas application has been made to this Court, by a number of the Inhabitants of the Plantation called Sandy River, in the County of Lincoln to have said Plantation with the Inhabitants thereon, incorporated into a Town; and the same being considered of public utility,*

Boundaries.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the Plantation called Sandy River in the County of Lincoln, bounded as follows, *Vizt:* beginning at a Maple Tree marked on the Bank of Sandy River at the South east corner of said Plantation, thence running North eight miles and Fifty six Rods to a Beach Tree marked, thence West Five miles and Two hundred Rods to a Bass wood Tree marked, thence South two Miles, Thence South thirteen degrees East three miles, thence South Twenty five degrees East three miles thence South Thirty five degrees East two miles One hundred and fourteen rods to a Hemlock Tree marked, thence North Sixty seven degrees East One mile One hundred & ninety Rods, thence North forty nine degrees East One mile & ninety Rods to Sandy River, thence down said River about half a mile to the bound first mentioned together with the Inhabitants thereon be and hereby are Incorporated into a Town by the name of Farmington and vested with all the powers privilidges and immunities which Towns in this Commonwealth do, or may by Law enjoy.

Farmington incorporated.

William Reed, Esq. empowered.

*And be it further enacted* that William Reed Esquire be and he hereby is empowered to make out a Warrant

\* Date of approval not given.



directed to some principal Inhabitant of said Town, to notify the inhabitants thereof, qualified by Law to vote in Town affairs, to assemble and meet at some suitable time and place in said Town to choose all such Town Officers as Towns are required by Law to choose in the Month of March or April annually. *Approved February 1, 1794.*

### 1793. — Chapter 29.

[January Session, ch. 3.]

AN ACT TO PROVIDE FOR THE DEBT OF THIS COMMONWEALTH.

*Whereas the obligations of good faith as well as justice to individuals, & the support of public credit, require that provision be made for the debt due from the Commonwealth;*

Preamble.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that a loan, to the full amount of said debt, be and hereby is proposed, and that Books for receiving subscriptions to the said loan be opened at the Treasury of the Commonwealth on the first day of March next, and to continue open untill the last day of February Anno Domini One thousand seven hundred and ninety five; and that the sums which shall be subscribed thereto be payable in the following notes, certificates and bills of credit, computing interest on such as promise interest, to the last day of June next inclusively, viz. Notes issued by the Treasurer of this State, commonly called consolidated notes, and army notes, — also Notes given for gold and silver in the [the] year of our Lord one thousand seven hundred and seventy seven, — Certificates issued by Nathaniel Appleton Esqr. the United States Commissioner of loans in this State for the sums subscribed in the Certificates of the debt of this State, exceeding the sum assumed by the United States, computing interest thereon at six per cent per annum from the first day of January one thousand seven hundred and ninety two, to and including the last day of June aforesaid — Bills of credit commonly called New Emission bills issued by the authority of this State according to an Act of the fifth of May one thousand seven hundred and eighty, at the rate of four dollars in said bills for one dollar in specie, & interest on said bills to be computed from the last payment thereof, to and including the said last day of June, at the same rate.*

Loan proposed  
and books  
opened.

Species of  
notes &c. to be  
issued.



Certificate  
granted.

*And be it further enacted*, that for the sum subscribed to said loan and paid as aforesaid by any person or persons or body politic, the subscriber or subscribers shall be intitled to a certificate signed by the Treasurer of the Commonwealth, of the form following. *Viz.*

No.

COMMONWEALTH OF MASSACHUSETTS 179

The form.

Be it known, that there is due from the Commonwealth of Massachusetts unto \_\_\_\_\_ or bearer, the sum of \_\_\_\_\_ dollars \_\_\_\_\_ cents bearing interest at five per centum per annum from the first day of July seventeen hundred & ninety four inclusively; payable half yearly, and subject to redemption by payment of said sum or any part thereof, whenever provision shall be made therefor by law.

Dollars

Cents

Interest to be  
paid half yearly.

*And be it further enacted* that interest on the said Certificates, as the same shall become due, shall be paid half yearly *viz.* on the first day of January and July in each year.

Payment pro-  
vided for.

*And be it enacted by the authority aforesaid*, that the monies that shall from time to time be received by the Treasurer, for the interest on the balance due from the United States to this Commonwealth as reported by the Commissioners for settlement of accounts between the United States and the individual States, and for interest on money loaned by the Commonwealth to the United States, and for the dividend that may from time to time be declared due to the Commonwealth by the President and Directors of the Union Bank, shall be and hereby are pledged and appropriated for paying the interest on the sums that may be subscribed to the loan aforesaid.

Faith pledged  
for its payment  
punctually.

*And be it further enacted*, that the faith of the Commonwealth is hereby pledged to provide and appropriate by an annual tax or otherwise, such additional funds as may be requisite for the punctual payment of the interest on the loan aforesaid; — and the Treasurer of the Commonwealth is hereby authorized and directed to borrow of the President and Directors of the Union Bank, any sum not exceeding thirty thousand pounds, that may at any time be necessary for the punctual payment of the interest aforesaid, and to repay the sum he may borrow, as soon

as money sufficient for that purpose shall be received into the Treasury from the funds appropriated as aforesaid, or that may be hereafter appropriated for that purpose.

*And whereas it is desirable to establish funds for the gradual extinguishment of the principal of said debt;*

*Be it enacted by the authority aforesaid,* that the monies now due on the sales that have been made of the eastern and western lands late the property of the Commonwealth, (excepting the sum of thirty thousand pounds which is hereby appropriated for compleating the payment of the sum subscribed by the Treasurer in behalf of the Commonwealth to the stock of the Union Bank) also the proceeds arising from any future sale of the eastern lands, and the interest on the debt which may from time to time be redeemed, shall be applied to the purchase of the debt that may be created by virtue of this act, and the monies aforesaid are hereby appropriated for that purpose untill the said debt shall be fully discharged.

Funds established for payment of principal.

*And be it further enacted,* that the purchase aforesaid shall be made under the direction of the President of the Senate, the Speaker of the House of Representatives and the President of the Union Bank for the time being, & who, or any two of whom shall cause the said purchases to be made in such manner, & under such regulations as shall appear to them best calculated to promote the interest of the Commonwealth; and the account of the application of the said monies shall be rendered for settlement to the Treasurer, accompanied with returns of the said debt purchased therewith, at the end of every six months, computing from the time of commencing purchases as aforesaid, and that a full & exact report of said Commissioners or any two of them, including a statement of the disbursements and purchases made under their direction, specifying therein the time thereof, the prices at which, and the parties from whom the same may be made shall be laid before the Legislature whenever called for by them.

Purchases for discharging the debt, how made and by whom.

*And be it further enacted,* that the Treasurer of the Commonwealth, whenever any monies appropriated as aforesaid, for the purchase of the public debt shall be paid into the Treasury, be and hereby is directed to certify the amount of such payment to the Governor for the time being; & the Governor with the advice of Council is hereby requested to draw his Warrant on the Treasurer

Treasurer directed to certify.

Governor requested to draw his warrant.

for the sum mentioned in said Treasurer's certificate in favor of the Commissioners for the purchase of the public debt; and the said Commissioners are directed to deposit in the Union Bank, the money that may be received by them to be drawn for as occasion may require. *Provided always* that nothing in this act shall be construed to preclude the Legislature from applying any such sum or sums appropriated by this act, as shall be deemed absolutely necessary for the immediate support and maintainance of the Government of this Commonwealth.

Proviso.

Consolidated  
notes, &c.  
received.

*And it is further enacted* that the consolidated notes, also the army notes that shall hereafter be issued by the Treasurer of the Commonwealth pursuant to law, shall be received on the loan aforesaid on the same terms as if the said notes had been issued prior to passing this act.

*Approved February 1, 1794.*

### 1793. — Chapter 30.

[January Session, ch. 4.]

AN ACT TO SET OFF JOSEPH CLARKE AND JONATHAN BEALS FROM THE TOWN OF CUMINGTON IN THE COUNTY OF HAMPSHIRE AND TO ANNEX THEM TO THE DISTRICT OF PLAINFIELD IN SAID COUNTY.

Persons set off.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that Joseph Clarke and Jonathan Beals of Cumington with their families, together with all the lands lying north of a streight line from the south west corner of Plainfield, to the south west corner of Ashfield, be, and hereby are set off from the town of Cumington, and annexed to the District of Plainfield: *Provided nevertheless,* that the said Clarke and Beals shall pay all taxes that have been legally assessed on them by the said town of Cumington, in like manner as if this Act had not been passed.

Proviso.

*Approved February 4, 1794.*

### 1793. — Chapter 31.

[January Session, ch. 5.]

AN ACT FOR DIVIDING THE TOWN OF SANFORD & FOR INCORPORATING THE NORTH PARISH INTO A DISTINCT DISTRICT.

*Be it enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same,* that the said north Parish in the town of Sanford,

Incorporation.

be and it hereby is incorporated into a District by the name of Alfred, agreeable to the present Parish lines, and is invested with all the powers priviledges and immunities which towns within this Commonwealth do or may enjoy, excepting that of sending a Representative to the General Court: *Provided nevertheless* that the inhabitants of said District shall pay their proportion of all such Town, State, County and other taxes, as are already assessed upon them in proportion to the last valuation, and shall pay their proportion of all public debts which are now due from said town.

Proviso.

*And be it enacted by the authority aforesaid*, that the polls and estates in the said District of Alfred that were returned by the assessors for the said town of Sanford on the last valuation, which then belonged to the said town of Sanford be deducted from the return made by the said assessors & be placed to the said District of Alfred untill another valuation shall be taken.

*And be it further enacted* that the inhabitants of the said District shall be intitled to receive their proportion of all monies, lands and other estates real and personal now the property of said town agreeable, and in proportion to the last valuation.

To be allowed proportion of property, and

*And be it further enacted* that the inhabitants of said District shall be holden to support their proportionable part of the poor that are now maintained by the town of Sanford.

to support poor.

*And be it further enacted* that John Low Esqr. be and is hereby impowered to issue his Warrant directed to some principal inhabitant within said District of Alfred requiring him to warn the freeholders and other inhabitants within said District qualified to vote in District affairs to assemble at such time & place in said District as he shall appoint, to choose such Officers as shall be necessary to manage the affairs of said District.

John Low, Esq. to issue warrant.

*And be it further enacted* that the inhabitants of said District qualified to vote for Representatives as the Constitution directs, be and hereby are impowered to join with those of the said town in the election of a Representative or Representatives to serve in the General Court, who may be an inhabitant of said Town or District, and the meeting for choosing such Representative or Representatives shall be holden in said Town and District alternately, beginning with the town of Sanford; and

Inhabitants jointly to elect Representatives.

the Selectmen of each are hereby impowered to appoint the time and place of such meeting where the same by this Act is to be holden in the Town or District respectively, and the Selectmen of the town or District appointing the time & place of such meeting shall give fifteen days notice to the other Selectmen in writing under their hand of the time & place appointed for that purpose, to the intent that the Selectmen so notified may issue their Warrant to the Constable or Constables of the Town or District as the case may be to warn the inhabitants thereof to meet at the time & place appointed for that purpose.

*Approved February 4, 1794.*

### 1793. — Chapter 32.

[January Session, ch. 6.]

AN ACT TO INCORPORATE THE PLANTATION OF BRIDGTON IN THE COUNTY OF CUMBERLAND INTO A TOWN BY THE NAME OF BRIDGTON.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* that the following described Tract of Land *vizt.* Beginning at a Pine Tree at the East corner of Fryburgh and running South Twenty five degrees East nine miles to a Stone set into the ground; thence East twenty five degrees North six miles and one half to a Stone set into the Ground; thence North twenty five degrees West nine miles to a Stone set into the Ground; thence West twenty five degrees South to the first mentioned bounds; together with the Inhabitants thereon, be and they hereby are Incorporated into a Town by the name of Bridgton: and the said Town is hereby invested with all the powers privileges and immunities which other Towns in this Commonwealth do or may enjoy by Law.

*And be it further enacted by the authority aforesaid* that Enoch Perley Esquire be, and he is hereby impowered and required to issue his Warrant to some suitable Inhabitant of the said Bridgton, requiring him to warn the qualified inhabitants thereof to meet at some convenient time and place, to choose such Officers, as Towns are by Law required to choose in the Month of March or April annually.

*Approved February 7, 1794.*

Bridgeton incorporated.

Enoch Perley,  
Esq. to issue  
warrant.



### 1793. — Chapter 33.

[January Session, ch. 7.]

AN ACT TO PREVENT DAMAGE BEING DONE TO THE BEACH, & MEADOWS ON THE SOUTH SIDE OF THE TOWN OF EDGARTOWN IN THE COUNTY OF DUKES COUNTY, AND TO THE CREEKS ADJOINING THERETO, BY CATTLE, SHEEP, & HORSES PASSING OVER THE SAME; & FOR PRESERVING THE FISH IN THE SAID CREEKS.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* that from and after the passing this Act, it shall not be lawful for any person whatever to turn out, feed, or let run at large, any neat Cattle, Sheep, or Horse kind upon said Beach or Meadow, eastward of a south direction from the point of land called Job's neck, to a place called Waqua point, from the fifteenth day of April, to the first day of October annually, upon the penalty, for each offence, of three shillings a head for all neat Cattle and Horse kind, & six pence a head for all Sheep so turned out, fed, or let run at large on the Beach or Meadow aforesaid: To be sued for, and recovered by, & to the use of any Proprietor of the said Beach, Meadow, or Creeks, before any Justice of the Peace within & for the County aforesaid, by action of debt: *Provided* that the Proprietors and Owners of the said Beach, Meadow & Creeks, & the lands adjoining said Beach, shall be holden to maintain, & keep in usual repair, the fence from Short-neck so called, to a place called Mattakesset Bay.

Damage forbidden, within a limited time.

Penalty.

Proviso.

*Approved February 11, 1794.*

### 1793. — Chapter 34.

[January Session, ch. 8.]

AN ACT ASCERTAINING WHAT SHALL CONSTITUTE A LEGAL SETTLEMENT OF ANY PERSON IN ANY TOWN OR DISTRICT WITHIN THIS COMMONWEALTH, SO AS TO ENTITLE HIM TO SUPPORT THEREIN IN CASE HE BECOMES POOR AND STANDS IN NEED OF RELIEF AND FOR REPEALING ALL LAWS HERETOFORE MADE RESPECTING SUCH SETTLEMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* That all Laws heretofore made enacting and ascertaining what shall constitute a legal settlement of any per-

Laws repealed.

son in any Town or District within this Commonwealth so as to subject and oblige such Town or District to support such person in case of his becoming poor and standing in need of relief, so far as they relate to the manner of gaining a settlement in future, be and they hereby are repealed; but all settlements already gained by force of said Laws or otherwise shall remain untill lost, by gaining others in some of the ways hereafter mentioned.

Settlements to remain.

Ways & means providing legal settlements in case of poverty.

*And be it further enacted,* That legal settlements in any Town or District in this Commonwealth shall be hereafter gained so as to subject and oblige such Town or District to relieve and support the persons gaining the same, in case they become poor and stand in need of relief, by the ways and means following and not otherwise, namely :

Married women.

1st. A married woman shall always follow and have the settlement of her husband, if he have any within this Commonwealth, otherwise her own at the time of marriage, if she then had any, shall not be lost or suspended by the marriage; and in case the Wife shall be removed to her settlement, and the husband shall want relief from the State, he shall receive it in the Town where his Wife shall have her settlement at the expence of the Commonwealth.

Legitimate children.

2d. Legitimate children shall follow and have the settlement of their Father, if he shall have any within this Commonwealth untill they gain a settlement of their own; but if he shall have none, they shall, in like manner, follow and have the settlement of their mother, if she shall have any.

Illegitimate children.

3d. Illegitimate children shall follow and have the settlement of their mother at the time of their birth, if any she shall then have, within the Commonwealth: But neither legitimate or illegitimate children shall gain a settlement by birth in the places where they may be born if neither of their parents shall then have any settlement there.

Other description of persons.

4th. Any person of Twenty one years of age, being a citizen of this, or any of the United States, having an estate or inheritance or freehold, in the Town or District where he dwells and has his home of the clear yearly income of Three Pounds, and taking the rents and profits thereof Three years successively, whether he lives thereupon or not, shall thereby gain a settlement therein.

5th. Any person of twenty one years of age, being a citizen of this or any of the United States having an Estate the principal of which shall be set at Sixty pounds,

or the Income at three pounds twelve shillings, in the valuation of estates made by Assessors, and being assessed for the same, to State, County, Town or District Taxes for the space of Five years successively, in the Town or District where he dwells and has his home, shall thereby gain a settlement therein.

6th. Any person being chosen, and actually serving one whole year in the Office of Clerk, Treasurer, Selectman, Overseer of the poor, Assessor, Constable or Collector of Taxes in any Town or District, shall thereby gain a settlement therein.

7th. All settled ordained Ministers of the Gospel shall be deemed as legally settled in the Towns or Districts wherein they are or may be settled and ordained.

8th. Any person that shall be admitted an Inhabitant by any Town or District, at any legal meeting, in the warrant for which, an article shall be inserted for that purpose, shall thereby gain a legal settlement therein.

9th. All persons citizens as aforesaid, dwelling and having their homes in any unincorporated place, at the time when the same shall be incorporated into a Town or District shall thereby gain a legal settlement therein.

10th. Upon division of Towns or Districts every person having a legal settlement therein, but being removed therefrom at the time of such division, and not having gained a legal settlement elsewhere, shall have his legal settlement in that Town or District wherein his former dwelling place or home shall happen to fall upon such division; and when any new Town or District shall be incorporated, composed of a part of one or more old Incorporated Towns or Districts, all persons legally settled in the Town or Towns, District or Districts, of which such new Town or District is so composed, and who shall actually dwell and have their homes within the bounds of such new Town or District at the time of its incorporation shall thereby gain legal settlements in such new Town or District:

*Provided nevertheless,* that no person residing in that Proviso. part of any Town or District which upon such Division shall be Incorporated into a new Town or District, having then no legal settlement therein, shall gain any by force of such Incorporation only; nor shall such Incorporation prevent his gaining a settlement therein within the time, and by the means, by which he would have gained it there if no such division had been made.

11th. Any minor who shall serve an apprenticeship to any lawful trade for the space of four years, in any Town or District, and actually set up the same therein, within one year after the expiration of said term, being then Twenty one years old, and continue to carry on the same for the space of Five years therein, shall thereby gain a settlement in such Town or District; but such person being hired as a journeyman, shall not be considered as setting up a Trade.

12th. Any person, being a citizen as aforesaid and of the age of Twenty one years, who shall hereafter reside in any Town or District within this Commonwealth for the space of Ten years together and pay all State, County Town or District Taxes duly assessed on such person's poll or estate for any Five years within said time, shall thereby gain a settlement in such Town or District.

And every legal settlement when gained shall continue till lost or defeated by gaining a new one; and upon gaining such new settlement all former settlements shall be defeated and lost.

*Approved February 11, 1794.*

### 1793. — Chapter 35.

[January Session, ch. 9.]

AN ACT IN ADDITION TO AN ACT ENTITLED, "AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING 'A BRIDGE OVER MERRIMACK RIVER, BETWEEN THE TOWNS OF HAVERHILL & BRADFORD, IN THE COUNTY OF ESSEX, AND FOR SUPPORTING THE SAME.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that the clause of the said Act which limits to the proprietors of the said bridge, their heirs & assigns, a term of fifty years therein, shall be, & hereby is repealed; and the proprietors of the said bridge, when built pursuant to the said Act, their heirs and assigns, shall hold the same in fee simple, any thing in the said Act to the contrary notwithstanding. *Provided* that at and after the expiration of thirty years from the first opening of such bridge, the rates of toll to be taken for passing the same shall, & may from time to time be regulated by the Legislature of this Commonwealth, at their discretion: *Provided also*, said proprietors shall keep said bridge in good and convenient repair; and shall be subject to all the other regulations contained in said Act of incorporation.

*February 12, 1794.\**

\* This act not signed by acting governor.

1793. — Chapter 36.

[January Session, ch. 11.]

AN ACT TO INCORPORATE A SOCIETY, BY THE NAME OF THE MASSACHUSETTS HISTORICAL SOCIETY.

*Whereas the collection & preservation of materials for a political and natural history of the United States, is a desirable object, and the institution of a Society for those purposes, will be of public utility.*

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* that William Baylies Esqr. Jeremy Belknap D. D. the Revd. Alden Bradford, Peleg Coffin esqr. Manasseh Cutler, D. D. John Davis esqr., Daniel Davis esqr., Aaron Dexter Doctor in physic the Revd. John Elliot, Nathaniel Freeman esqr. the Revd. James Freeman, the Revd. Thadeus Mason Harris, Isaac Lothrop esqr., George Richards Minot Esqr. the revd. John Mellen junr., Thomas Pemberton, William Dandridge Peck, the revd. John Prince, Ezekiel Price esqr., James Sullivan esqr. David Sewell esqr., Peter Thacher D. D. William Tudor esqr. Samuel Turell, Dudley Atkins Tyng esqr., James Winthrop esqr., Thomas Wallcut, Redford Webster, and William Wetmore esqr., who have associated for the purposes aforesaid, and have requested an Act of incorporation, be, and hereby are formed into, & constituted a Society and Body Politic and Corporate, by the name of the Massachusetts Historical Society; and that they, and their successors, and such other persons as shall be legally elected by them, shall be and continue a body politic and corporate by that name forever.

Persons incorporated.

Name.

*And be it further Enacted by the authority aforesaid,* that the members of said society shall have power to elect a President, & all other necessary officers; and that the said society shall have one common seal, & the same may break, change and renew at pleasure; & that the same society by the name aforesaid, as a Body politic and corporate, may sue and be sued, prosecute and defend suits to final judgment and execution.

Power of electing Officers.

*And be it further Enacted,* that the said society shall have power to make orders and bye laws for governing its members and property, not repugnant to the laws of this Commonwealth; and may expel, disfranchise or sus-

Power of making laws.



pend any member, who, by his misconduct, shall be rendered unworthy.

Society allowed to hold and convey real and personal estate.

*And be it further Enacted*, that the said Society may from time to time establish rules for electing officers and members, & also times and places for holding meetings; and shall be capable to take and hold real or personal estate, by gift, grant, devise or otherwise, & the same, or any part thereof, to alien and convey: *Provided* that the annual income of any real estate, by said Society holden, shall never exceed the sum of five hundred pounds; & that the personal estate thereof, besides books, papers, and articles in the museum of said Society, shall never exceed the value of two thousand pounds.

Number of members limited.

*And be it further Enacted*, that the number of Members of said Society, shall never be more than sixty, (excepting honorary members, residing without the limits of this Commonwealth;) & that James Sullivan Esqr. be, and hereby is authorized and empowered to notify and warn the first meeting of said Society; and that the same Society, when met, shall agree upon a method for calling future meetings, and may have power to adjourn from time to time, as may be found necessary.

James Sullivan, Esq. to call meeting.

*And be it further enacted* that either branch of the Legislature shall, and may have free access to the library and museum of said Society.

*Approved February 19, 1794.*

### 1793. — Chapter 37.

[January Session, ch. 10.]

AN ACT FOR GRANTING TO THE UNITED STATES OF AMERICA, THE JURISDICTION OF PART OF THE ISLAND OF SEGUIN.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, that there be, and hereby is granted to the United States of America, the jurisdiction of ten acres of land, & the property of this Commonwealth therein, most convenient for a Light-house, part of the Island of Saguin, situated near the mouth of the river Kennebec, in this Commonwealth, for the purpose of erecting a Lighthouse on the same ten acres; which quantity of land shall be laid out, at the time of erecting said Lighthouse, and a discription thereof in writing, entered in the registry of deeds, in the County wherein the same shall be situated.

Land granted the United States.

*Provided nevertheless, & Be it further enacted by the* Provisos.  
*authority aforesaid,* that if the said United States shall neglect for the term of four years from the date of this grant, to erect a Lighthouse on some part of the same ten acres, and after the same shall be erected, shall neglect to keep the same in good repair, and a state useful to navigation, then this grant shall be void. *Provided also,* that this Commonwealth shall retain, and hereby does retain a concurrent jurisdiction with the said United States, in and over the same ten acres, so far, as that all civil and criminal processes, issued under the authority of this Commonwealth, or any officers thereof, may be executed on any part of the same ten acres, granted as aforesaid, or in any buildings thereon to be erected, in the same way and manner, as if the jurisdiction had not been granted as aforesaid. *And provided also further,* that if the said United States shall at any time hereafter, make any compensation to any of the United States, for any cession made for the purposes of this grant, like compensation to be made to this Commonwealth by the United States, for the present grant, according to its value.

*Approved February 19, 1794.*

### 1793. — Chapter 38.

[January Session, ch. 12.]

AN ACT FOR SETTLING THE LINE BETWEEN LITTLETON AND  
 BOXBOROUGH.

*Be it Enacted by the Senate and House of Representatives in General Court Assembled, and by the Authority of the same,* that a line drawn from a heap of stones in the road twenty one rods and a half Southerly of the house of John Robbins of said Littleton, & running Easterly in a strait line about three miles to the corner of the town of Acton at a heap of stones shall be & hereby is established as the dividing line between the said town of Littleton & the District of Boxborough under the restriction & with the provision as to certain persons & estates herein made. Boundary line.

*And be it further Enacted by the authority aforesaid,* that all those persons who were inhabitants of the said town of Littleton included by the line aforesaid within the said district of Boxborough, & who did not according to an act made in the year of our Lord one thousand

seven hundred & eighty three, intituled, “An Act for erecting a District in the County of Middlesex by the name of Boxborough,” return their names, their polls & their estates within twelve months from the passing of the same Act into the office of the Secretary of the Commonwealth signifying their desire to become inhabitants of the said District of Boxborough, shall, with the Lands they improved at the time of passing the same Act with their said Estates during the time of their improving of the same, belong to said Littleton, & that where there has been, or shall be a transfer of the same Estates either by grant, devise or descent the persons to whom such transfer has been or shall be made & their Successors may apply to the said District of Boxborough to become Members thereof & whenever on such application the Clerk of said District of Boxborough upon the vote of the inhabitants of the said District at a legal meeting shall enter the name of any such person as an inhabitant and transmit a certificate of such vote to the Clerk of the town of Littleton, such person shall from thence forward with his Polls and Estate lying in said Boxborough be deemed & taken to belong to said Boxborough. *Provided* that when there shall be a State, County or town tax ordered to be assessed the said persons & Estates shall be taxed thereto in the town where they shall actually belong at the time of ordering or assessing such Tax, their changing their inhabitancy in manner aforesaid notwithstanding. And also that whenever a change of inhabitancy shall take place, agreeably to this Act, the Clerk of the town of Littleton, shall transmit to the Secretary’s Office, a certificate thereof in order that the same may be taken into consideration by the Legislature in apportioning future State Taxes on the said Town of Littleton & District of Boxborough.

Proviso.

*Approved February 20, 1794.*

### 1793. — Chapter 39.

[January Session, ch. 15.]

AN ACT TO SETT OFF JOEL BROOKS FROM THE TOWN OF WINCHINDON AND TO ANNEX HIM, AND HIS ESTATE TO THE TOWN OF GARDNER.

*Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the Authority of the same, That Joel Brooks with his Estate be, and hereby*

Joel Brooks,  
set off.

is set off from the Town of Winchindon in the County of Worcester and annexed to the Town of Gardner in said County, — *Provided always*, that the said Joel Brooks with the Estate, he now owns, in the Town of Winchindon shall be holden to pay his proportion of all Taxes now granted, and of all State and County Taxes, which may be granted prior to the settlement of another valuation in this Commonwealth to the Town of Winchindon in the same manner, as if this Act had never passed.

*Proviso.*

*Approved February 20, 1794.*

### 1793. — Chapter 40.

[January Session, ch. 13.]

AN ACT TO SET OFF JAMES DAMON, AND ABIEL DAMON, WITH CERTAIN LANDS FROM THE TOWN OF NORWICH AND FOR ANNEXING THEM TO THE TOWN OF CHESTERFIELD.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same*, That James Damon and Abiel Damon with their Families and Estates, together with the Lands belonging to Seth Taylor, James Peirce, and John Ewell of said Chesterfield, lying in Norwich east of Westfield River and North of the East Branch of said River, be and hereby are set off from the said Town of Norwich and annexed to the Town of Chesterfield in the County of Hampshire and shall hereafter be considered as part of the same there to do duty and receive priviledges accordingly.

*James and Abiel Damon with certain lands in Norwich, set off.*

*Provided nevertheless*, that the said James Damon and Abiel Damon together with the aforesaid Lands shall be holden to pay such Taxes as are already assessed or ordered to be assessed by said Town of Norwich in the same manner as they would have been if this Act had not passed.

*Approved February 22, 1794.*

### 1793. — Chapter 41.

[January Session, ch. 14.]

AN ACT FOR SETTING OFF SAMUEL BROWN, OF NEEDHAM, IN THE COUNTY OF NORFOLK, FROM THE EAST PARISH, & ANNEXING HIM TO THE WEST PARISH, IN SAID NEEDHAM.

*Be it Enacted by the Senate & House of Representatives, in General Court Assembled, & by the Authority of the same*, that Samuel Brown & his Estate, belonging to the

*Samuel Brown, set off.*

East Parish in Needham, be & hereby is set off from the said East Parish, & annexed to the West Parish in said Needham, & shall forever hereafter be considered as belonging to, & making part of the same.

*Approved February 22, 1794.*

### 1793. — Chapter 42.

[January Session, ch. 16.]

AN ACT TO SECURE TO OWNERS THEIR PROPERTY IN LOGS, MASTS, SPARS AND OTHER TIMBER, IN CERTAIN CASES.

Preamble.

*Whereas many persons put their logs, masts, spars and other peices of timber, marked with their marks, into the rivers within this Commonwealth, and into the ponds and streams leading into such rivers, which marks are frequently cut out altered or destroyed to the injury of the owner: To prevent which wrongs,*

Penalties for cutting out marks, &c.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that if any person or persons shall cut out, alter or destroy any mark or marks of any owner or owners made on any logs, masts, spars or other timber, put into any of the rivers, ponds or streams within this Commonwealth as aforesaid, on conviction thereof, such offender or offenders shall forfeit and pay a fine of forty shillings for each log, mast, spar, or other peice of timber, the mark whereof he or they shall be convicted of having so altered or destroyed; & shall be further liable to pay to the owner or owners of such log, mast, spar or other peice of timber, treble the value thereof; which fine and treble value shall be recoverable by such owner or owners, by action of trespass, in any Court proper to try the same, with legal costs of suit.*

Further penalty.

*Be it further Enacted, that if any such mark or marks shall be so cut out, altered, or destroyed by any person or persons, & the owner or owners of the same property shall be unknown, the person or persons so offending, shall forfeit and pay the sum of forty shillings for each log, mast, spar, or other peice of timber, the mark whereof he or they shall be convicted of so altering or destroying, to the person who shall sue for the same; to be recovered by action of debt, in any Court proper to try the same, with legal costs.*

Penalty for splitting timber.

*Be it further Enacted by the authority aforesaid, that if any person or persons shall take, carry away, or dis-*



pose of, saw, split or otherwise destroy any log, mast, spar or peice of timber, the property of another, without the consent of the owner, (except as is hereinafter provided) he or they so offending, and being convicted thereof, shall forfeit and pay to the owner or owners, for each log, mast, spar or peice of timber, treble the value thereof; to be recovered by an action of trespass, in any Court proper to try the same, with costs of suit.

*And be it further Enacted by the authority aforesaid,* that when any log or logs, mast, spar or other peice of timber, shall be carried by the floods into any lands adjoining said rivers, the ponds, streams or waters running into the same rivers, or forming part thereof, the owner or owners of such log or logs, mast, spar or timber, may at any time within eighteen months lawfully remove the [the] same from off said land, on tendering or paying to the proprietor or possessor of the land, such reasonable damages as may be occasioned by such removal; and if the owner or owners of such logs, masts, spars or timber, shall not appear and take the same from off such lands, within the same term of eighteen months, or otherwise agree with the proprietors or possessors of such lands, then the same logs, masts, spars or timber shall be deemed their property, and wholly at their disposal.

Timber carried off by floods may be recovered.

*And be it further Enacted by the authority aforesaid,* that whenever any logs, masts, spars or other timber, shall be taken up and secured for the owner below the Great Boom, so called, in Saco river, between Biddeford and Pepperelborough, the person or persons so taking up and securing said logs, masts, spars or timber, shall be entitled to one sixth part of said logs, masts, spars, or timber, — if taken up above the lower falls on said river, and below said Boom; or if taken up and secured below said lowest falls on Saco river, one third part of all logs, masts, spars or other timber, so taken up and secured for the owners of the same: *Provided* the person or persons, so taking up and securing the same, shall in all such cases, advertize said logs, masts, spars or timber, describing the same, & the marks (if any there be) on the same, within seven days after so taking up and securing them, by posting up such advertisement in one or more of the public Inns in Pepperelborough and Biddeford; & if no such advertisement shall be posted up as aforesaid, the owner of such logs, masts, spars or timber

Benefit of picking up timber in certain cases.

Proviso.

may take the whole, without paying any sum for taking up and securing the same; & if no owner shall appear to take a part of said logs, masts, spars or timber, and demand his part thereof, within three months from the day it is advertised as aforesaid, then the whole of said logs, masts, spars or other timber, shall become the property of the person who shall take up and secure the same as aforesaid; and any person or persons, using selling or any other way disposing of said logs, masts, spars, or other timber, or any part thereof, within the term of three months from the time of taking up and advertising the same, in manner aforesaid, unless he purchases the same of the lawful owner, shall be liable to pay the owner thereof triple the value of such logs, masts, spars or peice of timber with costs of suit, on being convicted thereof, to be recovered as aforesaid.

*And whereas it may be difficult to obtain positive evidence for the conviction of those who may offend against this Act;*

Evidence of a breach of this act.

*Be it therefore Enacted by the authority aforesaid,* that when any person shall be prosecuted for the breach of this act, for any logs, masts, spars or timber being found in his possession, with the marks cut out or altered as aforesaid, it shall be considered as evidence against the person possessing the same, as being guilty of a breach of this Act, unless such person shall give reasonable satisfaction to the Court or Jury which tries the cause, that neither he himself nor any other person by his order, or for or under him, did so alter or deface the marks on the same.

*Provided nevertheless* that nothing in this act shall be construed to extend to Connecticut river, or the river Merrimack.

*Approved February 22, 1794.*

### 1793. — Chapter 43.

[January Session, ch. 17.]

AN ACT PRESCRIBING THE MODE OF RECOVERING FORFEITURES OF PERSONAL PROPERTY, LIABLE THERETO BY LAW; AND ALSO PECUNIARY FORFEITURES.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* that whenever any personal property shall be liable to forfeiture for any offence, any person or persons entitled thereto, or interested therein, in whole or in part,

Personal property liable to forfeiture may be seized on conditions.

may seize and shall safely keep the same till a final decree be had thereon; unless the owner or person from whom it was taken claiming the same for himself or some other person, shall give bond, with sufficient surety, to the party seizing, to pay the appraised value thereof, when, & if, it shall be finally decreed forfeited; which value shall be appraised upon oath, by three judicious & disinterested men, mutually chosen by the parties, or (in case of disagreement or refusal of the party seizing) appointed by a Justice of the Peace in the County where the property was seized: But upon the giving or tendering such bonds, the property shall be delivered to such owner or claimant; and if no claimant shall appear, the party seizing shall be held to cause an inventory and appraisement of the property seized, to be made by three disinterested persons under oath, who shall be appointed by a Justice of the Peace in the County where the property shall be seized, which appraised value shall be the rule, by which to determine where the libel shall be commenced. And in order to obtain a decree of forfeiture of such property,

*Be it further Enacted*, that if the property seized exceed four pounds in value, the party seizing the same shall within twenty days after the seizure, but not afterwards, file a libel in the Clerk's office of the Court of Common pleas, in the County where the offence was committed, stating the cause of seizure, and praying for a decree of forfeiture: Whereupon the Clerk shall make out a notification to all persons to appear at such Court, and shew cause, if any they have, why such property should not be decreed forfeit, for such cause of seizure; which notifications, the libellant shall cause to be inserted in some newspaper printed in the same County, if their be one, otherwise in some newspaper printed in the next or nearest County, or in Boston, fourteen days at least before the sitting of the Court, at which the libel is to be tried; and upon entry of such libel, at the time when civil actions are to be entered in such Court, the Court shall have power to hear and determine the cause, by a Jury where there is a claimant, but without one, if upon proclamation made no claimant appears, & to decree the forfeiture and disposition of such property, according to law, and may decree a sale and distribution of the proceeds, deducting charges where they think proper; and may also award costs against the claimants: And if such libel be not sup-

Causes of seizure to be tried in the Court of Common Pleas if exceeding four pounds.

ported, or be discontinued, restitution of the property shall be decreed to the claimants with costs: And if the Jury on the trial, where the libel is tried by a Jury, find the seizure groundless, & without probable cause, they shall assess, and the Court shall decree reasonable damages for the claimant, with costs. And either party aggrieved at the decree of such Court, may appeal therefrom, to the Supreme Judicial Court next to be holden in the same County, who shall have power upon such appeal, finally to hear and determine the cause, & decree thereupon in manner aforesaid.

Causes under four pounds to be preferred to Justice of the Peace.

*And be it further Enacted*, that when the property seized shall not exceed the value of four pounds, the libel shall be preferred to some Justice of the Peace, in the same County where the offence was committed, within the time aforesaid; who shall have power to hear, determine and decree thereupon, as aforesaid, having first caused a like notification to be posted up, & which the libellant shall be held to do, at some public place in the same County, seven days before the time of trial; saving to either party aggrieved, liberty of appeal from the decree of such Justice, to the next Court of Common Pleas, to be held in & for said County, who shall have power finally to hear, determine and decree in the cause aforesaid; and depositions taken for legal cause, & according to law, may be used on the trial, as well before said Justice, as before said Courts. And if any such appeal is not entered and prosecuted, the Court to which the same was made, upon complaint, may affirm the decree appealed from, with additional damages and costs, or with additional costs only, as the case may require.

Fines or forfeitures may be sued for.

*And be it further Enacted*, that all pecuniary fines or forfeitures made, or that may be made recoverable, by bill, plaint or information, or by any of those modes of prosecution, by any law of this Commonwealth, or for the recovery whereof, no mode shall be prescribed, shall and may be sued for and recovered, by action of debt, in any Court proper to try the same; any law, usage or custom to the contrary notwithstanding.

Proviso.

*Provided always*, that nothing in this Act shall be construed to take away any remedy, already provided in & by any act or Law of this Commonwealth, for any forfeiture declared thereby.

*Approved February 22, 1794.*



1793. — Chapter 44.

[January Session, ch. 18.]

AN ACT FOR INCORPORATING THE SEVERAL RELIGIOUS SOCIETIES IN NEWBURY PORT IN THE COUNTY OF ESSEX.

I. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same;* that the Members of the several Religious Societies in Newbury Port, in the County of Essex, be and they hereby are incorporated and declared severally to be bodies politic and corporate forever, by the following Names *vizt.* the Members of the Religious Society there whereof the Revd. Thomas Cary and John Andrews are Ministers, by the name of the first Religious Society in Newbury Port: The Members of the Religious Society there, now destitute of a Minister, but whereof the Revd. John Murray deceased was late Minister, by the name of the Presbyterian Society in Newbury Port: The Members of the Religious Society there, whereof the Revd. Samuel Spring is Minister, by the name of the third Religious Society in Newbury Port: The Members of the Religious Society there, whereof the Revd. Charles William Milton is Minister, by the name of the Fourth Religious Society in Newbury Port; and the Members of the Religious Society there, whereof the Revd. Edward Bass is Minister, by the Name of the Episcopal Church in Newbury Port.

Religious  
Societies  
incorporated.

II. *And be it further enacted,* that the Members of each of said Religious Societies (including said Episcopal Church) respectively qualified by Law to vote in Town or Parish Meetings, shall and may assemble, and meet together in the Month of March or April annually (& after choosing Moderators, who shall have the same power to regulate the respective Meetings that Moderators in Town Meetings have) may proceed to choose, by ballot or otherwise, as they may agree, Clerks to enter and record all the Votes and transactions of said Societies in their Meetings respectively, Treasurers, Assessors & Committees, (which Committees may be the same with the Assessors) to manage their prudentials, and Collectors of Taxes, and other needful Officers; and shall have power at such, or at any Meetings duly called, (and which may be called by said Assessors or Committees when they shall see fit, or shall be requested to call the same, as is

Meetings  
established and  
regulated.



hereafter mentioned) to agree and contract with any Teacher or Teachers of Piety Religion and Morality, and vote and raise monies for his or their settlement and support, and for the support and decent performance of public worship in said Societies, and incidental Charges, and such repairs of their houses of Worship as they may think proper to make at the expence of said Societies; and also any Monies to satisfy any grant they may have occasion to make as a consideration for any such Teachers releasing, by mutual agreement any contract made with any of Said Societies, and quitting the Ministry or any Grant they may think proper to make any Widow or Children of any deceased Minister; all which Monies may be assessed, either wholly on the Pews in their houses of Public Worship, or partly on them, and partly on the Polls and Estates of such Members as usually attend Public Worship therein as they may agree and in such proportion as shall be Voted at such Meetings. And the Church Wardens of said Episcopal Church chosen at their annual Meetings from time to time shall have all the powers that Committees have in said other Societies, if no persons are specially chosen at such Meetings of said Church as Committees.

Powers of  
Church War-  
dens.

Duties of  
Assessors.

III. *And be it further enacted* that the Assessors first chosen under this Act, shall number, appraise and value the Pews in their said Houses of Public Worship respectively, according to their situation and rank, and make a list of such Valuation, and keep the same in the Office of the Assessors to be delivered to their Successors and the Sums Voted from time to time to be laid on the Pews, shall be assessed and apportioned thereon by the Assessors for the time being, according to such valuation, until a new one shall be Voted by said Societies to be made, & which shall thereupon be made by the Assessors for the time being as aforesaid: And said Assessors shall assess the sums, Voted to be laid on the Polls and Estates on the Polls of such as were usuall worshipers in said Societies respectively on the first day of May next preceding the time of making such Assessment, and upon their Estates whereof they were possessed on the same first day of May; according to the rules prescribed in the then last Tax Act for assessing Public Taxes, saving that said Societies may Vote such sum to be laid on the Poll as they ma[ke][y] think proper, and said Assessors may

overlay a sum, not exceeding ten Per Cent, for abatements and to avoid fractions ; and they shall make lists of said Assessments on Polls and Estates in the same manner and form as Town Assessors are required to make them inserting therein the Taxes on pews in a separate Column — to be signed by them, or the major part of them — and shall deliver the same, with Warrants in form prescribed by Law, for collecting Town Taxes, *mutatis mutandis*, for collecting the same, signed as aforesaid, but to which no Seal shall be necessary, inserting a clause therein authorizing and requiring said Collectors to collect said Taxes upon Pews, and to pay in the same according to the directions of their Warrants, and to observe the directions of law in collecting the same, and in the sale of Pews, where such Sale may be necessary, and keep Copies of such lists and Warrants and their valuation of Estates in their Office, and deliver them to their Successors ; and said Assessors shall have the same power to make abatements that Town Assessors have, and all persons thinking themselves overrated shall have the same remedy as in the case of an overrate in a Town Tax.

IV. *And be it further enacted*, that such Collectors, to whom such Taxes, with Warrants as aforesaid, shall be committed shall have the same power to collect said Taxes on Polls and Estates, as Town Collectors have by Law, and shall observe the same directions in collecting and paying over the same according to their Warrants, which they are holden to observe ; and shall also have power to demand and receive said taxes on Pews of and from the Owners or occupants thereof, and shall be held to pay over the same as aforesaid, and if payment thereof is neglected to be made for thirty days after notice and demand given and made by said Collectors to the Owners or occupants where known and living in said town or posted up at some door of said houses when unknown or not living in said Town, of all which such Collectors oaths shall be admitted as sufficient evidence, such Collectors shall have power to sell such Pews at Public sale in said Town, to the highest bidder ; notice of such intended sale, being given, four days at least, after the expiration of said thirty days and before the times of Sale, by posting up written Notifications at the doors of said houses of Public Worship respectively of the times and places of Sale and mentioning therein the Pews to be sold and

Powers of  
Collectors.

their Numbers, and to make and execute proper deeds to convey the same to the purchasers, which shall give them good Titles thereto, and to all the Owner's Interest and Share in the Lands under and adjoining such houses, in fee; and if any overplus remain upon such Sale, the same shall be immediately paid to the Owners after the Taxes and all legal charges are deducted.

Collectors to  
declare their  
acceptance or  
refusal of office.

Forfeiture in  
case.

Compensation  
for service.

Powers of  
Treasurers.

V. And any person chosen at any legal Meeting of any of said Societies to the Office of Collector, shall if present forthwith declare his acceptance or refusal; and, in case of non-acceptance said Society so met, shall proceed to a new choice, and so from time to time, till one shall accept and be sworn: and any person present so chosen who shall not declare his acceptance, or being chosen whether present or not, having no reasonable excuse shall neglect to take the Oath of Office for seven days next after notice of his being so chosen given him by the Clerk, who is hereby required forthwith to give such notice, shall forfeit and pay the sum of Three Pounds to the use of the Society, to be recovered in the same way as Fines are to be recovered for not serving the Office of Constables in Towns, and in case of such refusal, said Societies may, at any meeting, choose another Collector in the room of such person refusing and they may also from time to time choose new Collectors in the room of old ones and to compleat their Collections, in all cases where Towns may do the same; in all which cases lists of such outstanding Taxes, with Warrants to Collect the same, shall be made out & delivered to them by the Assessors, for the time being in manner and form aforesaid, by force whereof, they shall have the same power to collect such Taxes, as such former Collectors had, and to sell the Pews of delinquent owners observing the same directions; and no person, exempted by law from serving the Office of Parish Collector, shall be held to serve that Office in said Societies.—and such Collectors shall receive, for their services, such sums as said Societies shall vote and agree, or otherwise, as shall be agreed on by the Assessors, with them.

VI. *And be it further enacted* that the Treasurers of said Societies, respectively, shall have power to demand and receive of their respective Collectors, all sums committed to them to collect as aforesaid, and to issue Executions against delinquents, in manner and form as Town or

Parish Treasurers may, and they shall pay and dispose of said monies agreeably to the votes of their Societies and account annually for the same.

VII. *And be it further enacted*, that the Clerks Assessors and Collectors, chosen, from time to time, by said Societies, shall before they enter upon the Execution of their Offices, take the following Oath *vizt.* —

You being chosen for the in Newbury port for the year do swear that you will faithfully discharge all the duties of that Office in all things, whereto the same hath relation according to Law. so help you GOD.

which Oath shall be administred to the Clerk by the Moderator, or by some Justice of the Peace in the Meeting immediately upon the choice and before any further bussiness shall be transacted, a record whereof being made by such Clerk, and by whom the Oath was administred, shall be legal & sufficient evidence thereof. And the said Oath of Office, may be administred to said other Officers either by the Clerk or by a Justice of the Peace.

VIII. *And be it further enacted* that all contracts heretofore made, by any of said Societies, with their Ministers or others, shall devolve and be binding upon them by their names, and in their corporate Capacities aforesaid. And the said Societies respectively are hereby made and declared, capable of Suing and being sued by their corporate names aforesaid upon such Contracts and for all Debts due either before or after their Incorporation to or from them and may appoint agents to appear for them to prosecute or defend such Suits, a Certificate whereof given by their Clerk shall be legal evidence of such appointments.

IX. *And be it further enacted*, that said Societies severally & respectively be and they hereby are declared to be capable of taking and holding, by their several names and their corporate Capacities aforesaid, by gift, grant, purchase, device, Legacy or otherwise any Estate real or personal for the settlement and support of Public Teachers of Piety Religion and morality in their respective Societies, and for the support and decent performance of Public Worship therein, and other purposes aforesaid, *Provided* the annual profits and Incomes of such Estates, in any one of such Societies does not exceed One Thousand Pounds.

how and by whom to be administred.

Previous contracts binding

Societies may prosecute and defend suits.

Allowed to hold real and personal estate.

Proviso.



Presbyterian  
Society to  
possess certain  
lands.

X. *Be it further enacted*, that said Presbyterian Society by that name, and in their said Corporate Capacity, shall be deemed and taken in Law, to be and stand seized in Fee simple, and in Possession, to all intents and purposes, of a lot of land adjoining on Federal Street & Orange Street, in said Newbury port and the House and other Buildings thereon, heretofore purchased and Built by them for the use of their Ministers; and that each of said Societies may purchase and hold Lands in said Town, and erect Buildings thereon for the same purpose the property and fee whereof shall always be in said Societies respectively.

Inhabitants to  
pay taxes only  
where they  
worship.

XI. *And be it further enacted*, that all the Inhabitants of said Newbury Port shall be, and hereby are, intirely exempted and freed, from paying Taxes, either for their Polls or Estates lying within the bounds of said Town, towards the payment of any charges or Expence, for the settlement or support of any teacher or teachers of Piety Religion & Morality, or support of Public Worship in any other place or Society therein than that wherein they usually attend Public Worship.

What consti-  
tutes a member.

And every person who at the time of the passing of this Act, usually attends Public Worship in either of said Societies, shall be deemed a Member of the same, so long as he shall so attend — and any such person intending to leave such Society shall give notice to the Clerk thereof in writing; which notice shall be recorded in the Society's Book of Records, upon the doing whereof, and upon his leaving such Society, he shall from and after the last day of April then next ensuing, be exempt from Taxation therein, for his Poll & Estate, untill he shall return and become a Member again.

Worshippers in  
other parishes  
held liable.

*And be it further enacted*, that such of said Inhabitants of said Newbury port as shall usually attend Public Worship in any Parish without the bounds of said Town, and they only, and for such time only as they shall thus attend, shall be held to pay their proportion of Taxes towards the settlement and support of the Minister or Ministers of such Parish and other Parish charges therein in such way and manner as they would be liable to do if they and their Estates lying in said Newbury port, were within the limits of the Parish in which they shall attend, and without the bounds of said Newbury Port.

Justice to issue  
warrant to call  
meetings.

*And be it further enacted*, that any Justice of the Peace in said County be and he is hereby empowered, to issue



his Warrant directed to some principal Member of each of said Societies respectively, requiring them to notify and warn meetings of their respective Societies at suitable times and places, therein to be mentioned, for the choice of such Officers & transaction of such bussiness as by this Act they are authorized to choose and transact and such meetings shall be warned by posting up Copies of such Warrants and Notifications thereon signed by the persons to whom they shall be directed to meet at the times and places, and for the purposes mentioned in such Warrants, at the doors of their respective houses of Public Worship, three days at least before the times appointed for said Meetings respectively, or where there are any existing Committees in any of said Societies chosen therein for the year last past, they or the major part of them, shall have power to warn the first Meetings of their respective Societies under this Act; And the Church Wardens of said Church last chosen shall have like power to call the first meeting of that Society in manner and form aforesaid, and all the persons aforesaid empowered to warn such first Meetings shall make returns thereof, on some one of such Notifications or a Copy thereof, at or before the times of said Meetings. And the Assessors or Committees of said Societies respectively then and from time to time thereafter chosen, or the major part of either of them, shall have power to call future meetings of their respective Societies, by posting up at the doors of their respective houses of Public Worship written Notifications, expressing the times, places, and bussiness of said Meetings, three days at least before the times appointed therefor, and shall make returns thereof as aforesaid; and all Notifications and returns shall be filed and recorded by said Clerks respectively. And when ten or more qualified voters shall in writing under their hands, request the Committee or Assessors either to insert any article for any matter or thing, in the warning they shall give for the next meeting or to call a meeting on purpose to act upon such matter or thing it shall be the duty of said Committee or Assessors to comply with such request, and upon their refusal, such Meeting may be called, upon like request, by any Justice of the Peace in the County: And no Act or Vote, at any Meeting, shall be valid, or have any legal effect or operation, unless the subject matter thereof, be inserted in the warning or notification of the Meeting.

Meetings, how  
called and by  
whom.

Proprietors to  
elect officers.

*And be it further enacted* that the Proprietors of the several houses of Public Worship aforesaid respectively, be and they hereby are impowered, at any legal meeting or meetings of said Proprietors respectively, from time to time to choose like Officers with those in this Act before-mentioned, and by major vote, to raise, by an Assessment upon Pews in such houses, any Monies they may judge necessary for repairing finishing or altering the same.

— Power to  
sell, convey &  
purchase.

And the Proprietors of the house of Public Worship of said first Religious Society, may by major vote as aforesaid, at any legal Meeting if they think proper, sell and dispose of in Fee, their land under and adjoining their said house, together with the said house, and purchase other land elsewhere in said Town, for the purpose of erecting a New house of Worship thereon, in such way and manner, as they may vote & agree upon; and shall be held to pay such of said proprietors, as do not choose to be interested in purchasing such other land and building thereon, their just proportion (according to the then last valuation of the Pews) of the sum for which their said land, under and adjoining the said house of Public Worship, together with said house may be sold and may sell divide, or dispose of the Pews and Seats in such new Building as they may think proper. And such monies shall be assessed and collected in the same manner, by the Assessors & Collectors of said Proprietors, and paid over to their Treasurers, and the same rules and directions shall be therein observed as are in and by this Act, before prescribed for the Assessment and Collection of Monies laid on Pews, for the support of Public Teachers — and their Treasurer shall have the same power, as the Treasurers of said Societies by this Act have, to enforce payment of such Taxes, and shall pay and account for the same, agreeable to the Votes and orders of the Proprietors. And at all such meetings, the Proprietors shall have power to vote in person, or by Attorney — and the votes shall always be collected and numbered according to the Interest of the Proprietors, present in the meeting in person or by attorney. And the Clerks, Assessors and Collectors of such Proprieties respectively, shall be sworn in manner and form aforesaid.

Manner of  
assessing and  
collecting of  
monies.

First meetings,  
how called.

*And be it further enacted*, that the first meetings of said Proprietors respectively shall be called, by Warrants as

aforesaid, from any Justice of the Peace in said County directed to some one member of each of said Proprieties respectively, who shall have power to warn the same, and make return thereof in manner and form aforesaid. And all future meetings of said Proprietors shall be called by their respective Committees or Assessors, or the major part of either of them, and return thereof made in manner and form aforesaid.

*And be it further enacted* that all Laws heretofore made, to enable the Proprietors of any of said houses of Public Worship to raise monies to defrey Ministerial and other necessary charges, be and they hereby are repealed; saving that they shall be and remain in full force, with respect to the Assessment and collection of all Taxes already voted to be assessed and collected, and with respect to all matters and things duly begun, but not fully compleated, under and by force of them.

Laws repealed,  
excepting —

*Approved February 22, 1794.*

## 1793. — Chapter 45.

[January Session, ch. 19.]

AN ACT, IN ADDITION TO AN ACT, INTITLED, “AN ACT TO PREVENT THE DESTRUCTION, & TO REGULATE THE CATCHING OF THE FISH, CALLED SALMON, SHAD, & ALEWIVES IN THE RIVERS & STREAMS IN THE COUNTIES OF CUMBERLAND & LINCOLN, & TO REPEAL ALL LAWS HERETOFORE MADE FOR THAT PURPOSE.”

*Whereas the time during which provision is made by said Act that good & sufficient sluice-ways & passages for the said Fish shall be kept open has been found too short, with respect to Presumpscut-River, & the several rivers & streams communicating with & running into the same.*

Preamble.

*Be it therefore Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* that from & after the passing of this Act it shall be the duty of any person or persons who own, or occupy any mill-dam, wear, obstruction, or incumbrance in, or across the said Presumpscut-River, or any of the said Rivers or streams communicating with, or running into the same, to provide, open, & keep open, at his or their own expence a good & sufficient sluice-way & passage for the said fish to pass between the fifteenth day of April, & the twentieth day of July, annually, under the same penalties, to be recovered in the same manner, &

Proprietors to  
keep open  
sluice-ways,  
under penalty.

subject to the same controul of the several Towns Committees, in case of any breach or infringement of this Act, as in & by the said Act, to which this Act is an addition, is provided. *Approved February 24, 1794.*

### 1793. — Chapter 46.

[January Session, ch. 20.]

AN ACT TO INCORPORATE THE PROPRIETORS OF ST. PETER'S CHURCH IN SALEM IN THE COUNTY OF ESSEX.

Proprietors  
of St. Peter's  
Church incor-  
porated.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by Authority of the same*, that the Proprietors of Saint Peter's Church & of the land under & adjoining the same in Salem in the County of Essex shall be, & they are hereby incorporated & made a body politic & corporate by the name of—The Proprietors of Saint Peter's Church, & are & shall be capable & liable to purchase & hold any lands or tenements, goods or chattels, & to sue & be sued in any actions real, personal or mixed, & otherwise to do & suffer as other bodies politic generally may; *provided* that the whole estate real & personal of the said Corporation shall not at any time exceed the annual value of three hundred Pounds, besides their church, & shall be no otherwise used or employed than in the support of a religious Society & the offices of public Worship & Christian Charity.

Proviso.

Time of hold-  
ing meetings  
for choice of  
Officers and  
other purposes.

*And be it further enacted by the Authority aforesaid*, that the said Corporation shall hold their first meeting on Easter-Monday next, & shall afterwards, annually, hold a meeting on the Easter Monday of every year, for the choice of a Clerk, Treasurer, Wardens & Vestry, & of such other officers for the government of the said Corporation, & the management of their affairs, civil & religious, as the Proprietors present at such annual meeting shall see fit to appoint, & who may also at such annual meeting agree upon & establish the powers & authorities which the said Wardens, Vestry & other officers shall & may hold & exercise & all other rules & regulations respecting the calling & holding of meetings, the assessment & collection of taxes, for the repairs of the Church & the support of Public Worship, & the better ordering of the affairs of the said Corporation; & such annual meeting may be adjourned by the Proprietors who shall



be present until the business proposed to be acted thereat shall be compleated: And at such annual meeting, & at any other meeting to be called & notified as the Proprietors shall agree, they may fill any vacant office, & repeal & amend their rules & regulations at their discretion, & may vote any sum or sums of money to be assessed upon the Pews of said Church, or otherwise as the Proprietors shall & may agree, for the repairs of the Church & the support of Public Worship; *provided* that previous notice in one religious meeting, at the least, shall be given of all matters to be transacted at any meeting of the said Proprietors. And the said Corporation shall have a common Seal which they may break, alter & renew at their Pleasure.

Proviso.

*And be it further Enacted by the authority aforesaid,* that the Pews & Seats in said Church shall be duly valued from time to time by the said Proprietors or by any Committee who shall be appointed by them, respect to be had to the situation & other conveniences of such Pews & Seats; & all taxes for the support of a Minister, repairs of the Church & other expences of Public Worship, shall be assessed according to such valuation, to be paid by the owners or occupants: & in default of payment for one year after public notice of any Assessment, the pew or seat upon which such deficiency arises shall revert to the Corporation & may be sold in such way & manner as they shall agree.

Method of  
valuing pews  
and paying  
taxes.

*Approved February 24, 1794.*

## 1793. — Chapter 47.

[January Session, ch. 21.]

AN ACT TO DIVIDE THE TOWN OF FRANKFORT, IN THE COUNTY OF HANCOCK, & TO ERECT THE SOUTHERLY PART OF IT INTO A NEW TOWN BY THE NAME OF PROSPECT.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled, & by the Authority of the same,* that the Southerly part of the town of Frankfort, in the County of Hancock, contained within the following boundaries, to wit, — beginning at the bay of Belfast on a brook called the half way Creek, & following said Creek up to the Northwest corner of the town of Belfast, — from thence running due North to a pond, called Goose pond, where there is a spruce tree marked on four sides, — from thence due East to Marsh River, — then down said

Boundaries.



Prospect  
incorporated.

Proviso.

river to Penobscot River, & on said Penobscot River to Fort Pownal, so called, from thence on Penobscot River, or bay to the first mentioned bounds, together with Brigadier's island, so called, & all the inhabitants within the above described lines, be, & they hereby are divided from the town of Frankfort & incorporated into a separate town, by the name of Prospect, with all the privileges & immunities of other Towns in this Commonwealth; *provided* that all State, County & Town charges which may be due from the inhabitants of that part of the town of Frankfort which is hereby set off, shall be collected & paid in the same manner as if said Town of Prospect was not hereby incorporated.

Simeon Fowler,  
Esq. to issue  
warrant.

*An[d] be it further Enacted by the authority aforesaid,* that Simeon Fowler, Esquire, be & he hereby is authorized & impowered to issue his warrant to some suitable person in said town of Prospect requiring the inhabitants of said Town to meet at such time & place as he shall appoint, to choose such officers as Towns are by Law impowered to chuse at their annual meetings in March or April. And said Simeon Fowler, esquire, is further impowered to issue his warrant to some suitable person in the Town of Frankfort requiring him to warn the inhabitants of said town to meet at such time & place as he shall appoint, to fill up such vacancies as may happen in the offices of the said Town of Frankfort in consequence of this Act.

*Approved February 24, 1794.*

### 1793. — Chapter 48.

[January Session, ch. 22.]

AN ACT TO INCORPORATE THE PLANTATION CALLED SOWERDABSCOOK WITH PART OF THE TOWN OF FRANKFORT INTO A SEPERATE TOWN BY THE NAME OF HAMPDEN.

Boudaries.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* that the plantation called Sowerdabscook & the Northerly part of the town of Frankfort, included within the following boundaries, to wit, beginning at the North East corner of the Northerly line of the Waldo Patent so called, on Penobscot River, & bounded on the South by the Northerly line of said Patent, running six Miles on said line, — from thence running North, ten degrees East, till it comes to the town of Bangor, thence on said Line

to Penobscot river, & thence bounded on the said River to the first mentioned boundary, together with the inhabitants thereof be & hereby is incorporated into a town by the name of Hampden, & the inhabitants of said Town are hereby invested with all the powers, privileges & immunities which the inhabitants of Towns within this Commonwealth do or may by Law enjoy; *provided however*, that all State, Town & County charges which may be due from that part of said Town which is hereby set off from the town of Frankfort shall be collected & paid in the same manner as if this act had not been made.

Hampden  
incorporated.

*And be it further Enacted by the authority aforesaid*, that Simeon Fowler, esquire, be & hereby is authorized & empowered to issue his warrant to some suitable inhabitant of the said Town of Hampden requiring such person to notify the inhabitants of said Town to meet at such time & place as he shall appoint to elect such officers as Towns are by Law empowered to choose at their annual meetings in March or April.

Simeon Fowler,  
Esq. to issue  
warrant

*Approved February 24, 1794.*

### 1793. — Chapter 49.

[January Session, ch. 23.]

AN ACT DIVIDING THE COMMONWEALTH INTO DISTRICTS FOR THE CHOICE OF COUNSELLORS & SENATORS.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same*, that from & after the passing of this Act, the whole Commonwealth be & hereby is formed & divided into thirteen Districts, for the choice of Counsellors & Senators, in manner following, & that each District be & hereby is directed & authorized to chuse the number of Counsellors & Senators thereto respectively affixed, in manner as is by Law provided, *vizt.*

Commonwealth  
districted.

The County of Suffolk shall form one District & chuse four Senators.

The County of Essex shall form one District & chuse five Senators.

The County of Middlesex shall form one District & chuse four Senators.

The County of Hampshire shall form one District & chuse five Senators.

The Counties of Plimouth, Dukes County & Nantucket shall form one District & chuse three Senators.

The County of Barnstable shall form one District & chuse one Senator.

The County of Bristol shall form one District & chuse two Senators.

The County of York shall form one District & chuse two Senators.

The County of Worcester shall form one District & chuse five Senators.

The County of Berkshire shall form one District & chuse two Senators.

The County of Cumberland shall form one District & chuse two Senators.

The Counties of Lincoln, Hancock & Washington shall form one District & chuse two Senators.

The County of Norfolk shall form one District & chuse three Senators.

*Provided*, that in the Fifth District the Counsellors & Senators assigned to said District shall be chosen in manner following, that is to say; for the present year, & every second succeeding year, the said County of Plimouth shall chuse seperately two, & the said Counties of Dukes County & Nantucket one, & every other year the said District shall unite in the choice of the whole number assigned to said District.

*Approved February 24, 1794.*

## 1793. — Chapter 50.

[January Session, ch. 27.]

AN ACT FOR INCORPORATING A NUMBER OF INHABITANTS IN THE COUNTY OF BERKSHIRE, INTO A RELIGIOUS SOCIETY, BY THE NAME OF THE FIRST BAPTIST SOCIETY IN SANDSFIELD.

*Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, that Nathaniel B Dowd, William Munley, Ezekiel Fargo, Samuel Heath, Aaron Heath, Levi Soper, Joseph Wentworth, John Jones, John Jones Junr. Abner Chafflin, Perrygreen Smith, Joshua Chafflin, Levi Heath, Ira Heath, Paul Sears, Robbins Kilbourn, Jabez Holden, Jeremiah Comstock, Peirly Chafflin, Daniel Baker, John Phelps, Joshua Emmins, Cornelius Cone, Elisha Smith, Thomas Holman, Samuel Chappel, Abner Miller, Jaris Barker, and Isaac Chappel of Sandisfield: Samuel Thomp-

Persons incor-  
porated.

son, Gideon Joslyn, Israel Alden, Benjamin Heath, Asaph Morse, Asa Joslyn, Jesse Morse, Jareel Thompson, Moses Morse, Abel Benedict, Silvanus Harris, Asa Wadsworth, Samuel Thompson junr., Samuel Wheelock, Levi Wheelock, Levi Wadsworth, Hosea Brown, David Brewer, and Israel Baker of Tyringham: Solomon Shepard, Samuel Norton, David Baldwin, Daniel Shepard, Hurel Price, Nathaniel Shepard, Amos Chappel, Jonathan Forsyth, Joseph Chappel, Thomas Maxen, Alexander Knap, Abel Baker, William Morse, Thomas Wilcox, Joseph Burchard & Thomas Shepard, of New Marlborough: Seth Morse, William Denton, Aaron Lawrence, William Ray, Daniel Chapman, Perrygreen Comstock, Elnathan Minor, Ebenezer Comstock, Hezekiah Bowls, & Phineas Atwood of Great Barrington in the County of Berkshire, are hereby incorporated into a Parish or religious society, by the name of the First Baptist Society in Sandisfield, with all the privileges, powers, & immunities, which parishes in this Commonwealth do, or may by law enjoy.

Name of  
Society.

*And be it further Enacted by the authority aforesaid,* that Solomon Robbins Esqr. be, & he hereby is authorised to issue his Warrant, directed to some principal member of said Society, requiring him to warn the members of the said Society, qualified to vote in parish affairs, to assemble at some suitable time and place mentioned in said Warrant, to choose all such Officers as parishes by law are required to choose in the month of March or April annually.

Solomon Robbins, Esq. to  
issue warrant.

*Approved February 25, 1794.*

### 1793. — Chapter 51.

[January Session, ch. 24.]

AN ACT FOR INCORPORATING A NUMBER OF INHABITANTS OF THE TOWN OF WEST STOCKBRIDGE IN THE COUNTY OF BERKSHIRE INTO A DISTINCT & SEPERATE RELIGIOUS SOCIETY.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled, & by the Authority of the same,* that Nathaniel Wilson, Ephraim Slaughter, Abijah Smith, Nathaniel Galusha, Shubael Wilson, John Loyd, Jonas Standish, Farring Wilson, Francis Esland, John Brown, Samuel Darling, Nathaniel Rawson, Samuel Lane, Stephen Chatfield, Daniel Spencer, Elisha Hooper Moses Parmele, Christopher Winter, John Winter, Samuel

Persons  
incorporated.

Hutchinson, Mathew Hutchinson, David Hutchinson, John Gore Esland, John Esland, John Mikler, Asahel Lusk, Joseph A Turner, Elihu Crane, Thomas Benedict, Peter Bresee, Nicholas Bresee, Christopher Park, Thomas Dolen, John Benedict members of the said Religious Society together with their polls & estates, be, & they are hereby incorporated by the name of the Baptist Religious Society in West Stockbridge with all the privileges, powers & immunities which other parishes in this Commonwealth are by Law intitled to.

Thomas Lusk,  
Esq. to issue  
warrant.

*And be it enacted by the authority aforesaid,* that Thomas Lusk, esquire, be & he is hereby authorized to issue his warrant directed to some principal member of the said Society requiring him to warn the Members of the said Society qualified to vote in Parish affairs to assemble at some suitable time & place in said town of West Stockbridge to chuse such Parish Officers as are by Law required to be chosen in the month of March or April annually, & to transact all matters & things necessary to be done in said Society. *Approved February 25, 1794.*

## 1793. — Chapter 52.

[January Session, ch. 25.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER FORE RIVER BETWEEN PORTLAND, AND CAPE ELIZABETH, AND FOR SUPPORTING THE SAME.

Preamble.

*Whereas the erecting a Bridge over the River, between Portland, & Cape Elizabeth, will be of great Publick Utility, & William Vaughan & others, have petitioned this Court for an Incorporation.*

Proprietors  
incorporated.

*Be it therefore enacted by the Senate, and House of Representatives in General Court assembled, and by the Authority of the same,* that William Vaughan, Jesse Partridge, James Webb, Archelaus Lewis, John Quimby, Peleg Wadsworth, Tristram Jordan, Thomas Cutts, Rishworth Jordan junr., Samuel Calef, Joseph McLellan, Joshua Fabyan, Jeremiah Hill, Samuel Scammon, Nathaniel Scammon, Matthias Rice, Josiah Libbey, Seth Libbey, Dominicus Goodwin, & Isaac Skillen, be and they are hereby constituted a Corporation, & Body Politic, for the purpose of Building a Bridge over the River called Fore River, between Portland and Cape Elizabeth, so long as



they shall continue to be Proprietors in the Fund to be raised for that purpose, together with all those, who are, or shall hereafter become Proprietors of the said Fund under the name of the Proprietors of the Portland Bridge, and by that name may sue, and prosecute, be sued, and prosecuted to final judgment and execution, and do, and suffer all other matters, and things which Bodies Politic, may, and ought to do, and suffer, and that the said Corporation shall, and may have full Power, and Authority to make, have, and use a Common Seal, and the same to break, and alter at pleasure.

Name.  
May prosecute  
and be sued.

*And be it further enacted by the Authority aforesaid,* that the said William Vaughan, Peleg Wadsworth, & Joseph McLellan, or any two of them, may by advertizement in either of the News Papers published in Portland, call a meeting of the said Proprietors, to be holden at any proper place, after fifteen days from the Publication of said advertizement; And the Proprietors by a Vote of the Majority of those present, or represented at the said meeting (accounting and allowing one Vote to each single Share; *Provided* that no one Proprietor shall have more than Ten Votes in any case) shall have Power to transact any Bussiness for the benefit of said Corporation, *Provided* it is not repugnant to the Constitution, or Laws of this Commonwealth: And this Act and all Rules regulations & Votes of the said Corporation, shall be fairly, and truly Recorded, by the said Clerk in a Book, or Books for that purpose.

Persons to  
warn a meet-  
ing.

Majority  
present to  
transact busi-  
ness.

Provisos.

*And be it further enacted by the Authority aforesaid,* that for the purpose of reimbursing the said Proprietors for the monies by them expended, or that may hereafter be expended in Building and supporting said Bridge, a Toll be, & is hereby granted & established for the sole benefit of said Proprietors, according to the rules following; that is to say; For each foot Passenger, Two Cents; for each Person and Horse Six Cents; for each Chaise, for each Sulky, or for each Sley drawn by Two Horses, Twelve Cents & one half; for each Coach, Chariot, Phaeton or Curricie, Twenty five Cents, for each Waggon, Cart, Sled or other Carriage of Burthen, drawn by one or two Beasts, or for each Sley drawn by one Horse Eight Cents, & for each additional Yoke of Cattle, in The same Team, Two Cents; and for each Wheel Barrow, Hand Cart, or other Vehicle capable of carrying a like weight with one

Toll  
established.

Rates of Toll.

Person, Three Cents; for Neat Cattle or Horses, exclusive of those rode on, or in Carriages, or in Teams, Two Cents, each; for Sheep & Swine at the rate of Eight Cents the dozen; And to each Team one Person and no more, shall be allowed as a driver to pass free of Toll. And at all times when the Toll-gatherer shall not attend his duty, the Gate or Gates shall be left open. And the said Toll shall commence on the day of the opening said Bridge for Passengers, and shall continue for the benefit of the said Corporation forever; *Provided*, that after the term of Thirty years, the rate of toll shall be subject to the Regulations of Government.

Commencement  
and duration of  
Toll.

Proviso.

Bridge, how  
built.

Sign to be  
exposed.

Draw.

Piers.

Places where  
built.

*And be it further enacted by the Authority aforesaid*, that the said Bridge shall be well built, at least Thirty feet wide, of good & suitable materials, and be well covered with Plank, or Timber, suitable for such a Bridge, with sufficient Rails on each side for the safety of Passengers, and the same shall be kept in good, safe & passable repair. And the Proprietors at the Place or Places where the Toll shall be collected, shall erect, and keep constantly exposed to view, a Sign, or Board, with the rates of Toll of all the Toleable articles fairly & legibly written thereon in large or Capital Letters.

*And be it further enacted by the Authority aforesaid*, that the said Proprietors shall build and keep a convenient and sufficient draw, or Passage way, at least Twenty eight feet wide, at some place in the said Bridge proper for the passing and repassing of Vessels by day & by night through the said Bridge, and shall also build, and maintain in good repair, a suitable Pier, or Wharf, upon each side of said Bridge, & adjoining the Draw sufficient for Vessels to lie at, and the said Draw shall be lifted for all Vessels without Toll or Pay, except for Boats or Vessels passing for pleasure. And all Vessels intending to pass said Draw shall be free of charge at the Wharf, or Pier, untill a suitable time shall offer for passing the same.

*And be it further enacted by the Authority aforesaid*, that the Bridge shall be built at a place called Bramhall's Point in Portland, and land at or near Jacob Brown's Farm in Cape Elizabeth, as may be determined on by a majority of the Proprietors.

*And be it further enacted* that unless said bridge shall be compleated within six years from the passing this Act, this Act shall be void.

*Approved February 25, 1794.*

### 1793. — Chapter 53.

[January Session, ch. 26.]

AN ACT FOR INCORPORATING THE INHABITANTS OF THE SOUTHERLY PART OF THE TOWN OF NEW MARLBOROUGH, IN THE COUNTY OF BERKSHIRE, INTO A SEPERATE PARISH.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that the inhabitants of the town of New Marlborough, in the County of Berkshire with their families, together with the lands & estates south of a line drawn east and west through the centre of the said town, be, & they are hereby incorporated into a separte Parish by the name of The South Parish in New Marlborough, with all the powers, priviledges and immunities, which other Parishes in this Commonwealth are intituled to by law.

South parish  
incorporated.

*Be it Enacted by the authority aforesaid,* that Ebenezer Smith Esqr. be, & he is hereby [au-]authorized to issue his Warrant, directed to some principal inhabitant within the said South Parish, requiring him to warn the inhabitants thereof qualified by law to vote in Parish meetings, to assemble at some suitable time & place in said parish, to choose such officers as Parishes are empowered to choose in the month of March or April annually; & to transact all matters & things necessary and lawful to be done in the said Parish.

Ebenezer  
Smith, Esq. to  
issue warrant.

*Be it further Enacted,* that if any person or persons in either parish of the said town of New Marlborough, shall be inclined to join with his or their families to the other parish in said town, & shall lodge a Certificate thereof with the Secretary of this Commonwealth, within five months from the time of passing this Act, he or they, with their families and estates, shall be considered as belonging to such parish as aforesaid.

Persons inclin-  
ing may join  
said society.

*Approved February 25, 1794.*

### 1793. — Chapter 54.

[January Session, ch. 28.]

AN ACT TO INCORPORATE THE PLANTATION OF WASHINGTON IN THE COUNTY OF YORK INTO A TOWN BY THE NAME OF NEWFIELD.

*Be it Enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the*

Boundaries.

*same*, that the following described tract of land *vizt.* bounded on the North by the town of Parsonfield, on the East by Limeric, on the South by Shapleigh & on West by the State of New Hampshire, together with the inhabitants thereon be & they hereby are incorporated into a town by the name of Newfield: And the said town is hereby invested with all the powers, privileges & immunities which other towns in this Commonwealth do or may enjoy by Law.

Joseph Gilpatrick, Esq. to issue warrant.

*And be it further enacted by the authority aforesaid*, that Joseph Gilpatrick Esqr. be & he is hereby empowered to issue his warrant directed to some suitable inhabitant of the said town of Newfield requiring him to warn the inhabitants thereof qualified as the Law directs to vote in Town meeting to meet at some convenient time & place to choose all such officers, as towns are by Law required to choose in the month of March or April annually.

*Approved February 26, 1794.*

### 1793. — Chapter 55.

[January Session, ch. 29.]

AN ACT INCORPORATING A SOCIETY, BY THE NAME OF THE TRUSTEES OF THE BAPTIST EDUCATION FUND.

Preamble.

*Whereas a number of persons, in behalf of themselves and others of the Baptist denomination, have petitioned, and it appears to the General Court expedient that they, their associates and successors, be incorporated into a society, for the purpose of assisting in the education of young persons of their own denomination, for the ministry.*

Persons incorporated.

*Be it therefore Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that Samuel Stillman Doctor of Divinity, Hezekiah Smith, William Williams, Jonathan Maxey, Isaac Backus, Noah Alden, Isaiah Parker, Thomas Baldwin, Thomas Green, Joseph Grafton and George Robinson, Clerks; Messrs. Robert Rogers, and Benjamin Morgan Stillman, and their successors be, and they are hereby incorporated into a Society by the name, stile and title of The Trustees of the Baptist education fund; and shall so be and remain forever, and by the same name, stile and title, may sue and prosecute, and be sued and prosecuted to final judgment and execution.

Name of Society.



*And be it further Enacted by the authority aforesaid,* that the said society shall have power to make a common seal, and alter the same at pleasure; and to make bye laws, for the preservation & advancement of said body, which shall not be repugnant to the laws of this Commonwealth.

Powers.

*And be it further Enacted by the authority aforesaid,* that the said society shall be, & hereby are made capable in law of receiving any grants or devises of lands or tenements, in fee simple, or for a less estate, and any donations and bequests of money, or other personal estate, from any person or persons whatever; and to use and improve the same for the purposes, and according to the directions herein mentioned: *provided* that the rents of the real estate, together with the income of the personal estate of said society, shall not annually exceed the sum of one thousand pounds.

Society may possess estate.

Proviso.

*And be it further Enacted by the authority aforesaid,* that all grants, donations, devises & bequests of any real or personal estate to the said society, shall be used and improved to the best advantage; and the annual income thereof, shall be applied to the assistance of such young persons, in their education for the Baptist ministry, as the Trustees of said society, or a majority of all shall determine to be fit subjects thereof: *Provided nevertheless,* that the said Trustees, or a majority of them, if at any time they should think fit, may encrease their capital by loaning a part of the said income at interest, or by purchasing real estate therewith, and may at any time bestow a part of the principal of their personal estate, in assisting young persons as aforesaid, if consistent with the directions of the Donor.

Appropriations.

Proviso.

*And be it further Enacted,* that the said society, when ten of them, at least, shall deem it most for it's advantage, may sell and dispose of in fee simple or otherwise, all, or any of its real estate, and loan at interest the proceeds thereof, or invest the same in such funds, personal estate, or other real property, as they may judge will be most for its advantage: *provided always,* that the interest and income of the loans and property, wherein such proceeds may be invested, shall always be applied to the same use, whereto the income of the estate sold, was before applicable.

Society may sell estate and loan proceeds.

Proviso.

*And be it further Enacted by the authority aforesaid,* that all deeds, grants, covenants and agreements to be

Deeds, how executed.



made for, or in behalf of the said society, shall be executed under the common seal of the same, and by such person or persons as the said society or a majority thereof shall appoint.

Number of  
Trustees  
limited.

*And be it further Enacted by the authority aforesaid,* that the said society or trustees shall not exceed thirteen in number, who shall be elected by the Warren Association, so called, unless the same should hereafter be dissolved, in which case the said society shall be, and hereby are invested with all the powers of filling their vacancies, which are conferred by this Act on the Association aforesaid.

Time of  
meetings  
established.

*And be it further Enacted by the authority aforesaid,* that the said society shall meet in the town of Boston annually, on the day next after the last Wednesday in May; and at such other times and places, within this Commonwealth, as the Society shall judge proper: And at the annual May meetings, the said society may, choose all such Officers, as they shall deem necessary; and seven of the said Trustees shall constitute a quorum to do business, in all such cases, wherein a greater number are not required by this Act.

*Approved February 26, 1794.*

### 1793. — Chapter 56.

[January Session, ch. 30.]

AN ACT FOR SETTING OFF FROM THE TOWN OF CHESHIRE IN THE COUNTY OF BERKSHIRE, THREE LOTTS OF LAND WITH THE INHABITANTS THEREON & FOR ANNEXING THE SAME TO THE TOWN OF WINDSOR.

Whereas it appears to this Court, that by the Incorporating Act of the said Town of Cheshire, Lotts No. Forty four, Forty five, and Fifty two, were, through mistake incorporated with said Town.

Certain lots of  
land & inhabi-  
tants thereon,  
set off.

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same,* That the said Lotts No. Forty four, Forty five, and Fifty two, with the Inhabitants living thereon, formerly belonging to the Town of Windsor be and they hereby are set off from the said Town of Cheshire, and annexed to the Town of Windsor.

*Approved February 26, 1794.*

1793. — Chapter 57.

[January Session, ch. 31.]

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR ENFORCING THE SPEEDY PAYMENT OF RATES AND TAXES, AND DIRECTING THE PROCESS AGAINST DEFICIENT CONSTABLES AND COLLECTORS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same,* that if the Inhabitants, qualified to vote in Town affairs, of any town, district, or Plantation in this Commonwealth from which any State Tax or Taxes now remain due and unassessed including the Class Tax so called, shall neglect, for the space of five months from the passing of this Act, to choose Assessors to assess the same, and cause the assessment thereof to be certified as the Law requires to the Treasurer of the Commonwealth for the time being, and agreeable to his Warrant directing the same, he is hereby, authorized and directed to issue his Warrant, under his hand and Seal, directed to the Sheriff of the County, or his deputy, requiring him to levy and collect, by distress and Sale, the sum mentioned therein of the Estates real and Personal of any inhabitant or inhabitants of such deficient Town District, or Plantation; which Warrant the said Sheriff, or his Deputy, is hereby impowered & required to execute, observing the same rules, and regulations as are by Law provided for satisfying Warrants against deficient Collectors of Public Taxes; & it shall be the duty of the said Sheriff, or his Deputy, on the receiving of the said Warrant, forthwith to transmit an attested Copy thereof to the Selectmen or Town Clerk of the Town, District or Plantation named therein; And if the Assessors shall within Sixty days from the receipt of such attested Copy, deliver to the said Sheriff, or his deputy, a Certificate, according to law, of the Assessment of the Tax or Taxes required by said Warrant, and pay the Officer his legal fees, he shall forthwith transmit the same Certificate to the said Treasurer and return the Warrant unsatisfied.

*And be it further enacted,* that if the Inhabitants qualified to Vote in Town affairs of any Town, District, or Plantation in this Commonwealth, from which any State or County Tax shall hereafter be required, shall neglect to

Treasurer to issue his warrant against inhabitants of towns, etc. in case of neglect to choose Assessors.

— to issue warrant in other cases of neglect.

choose and keep in Office Assessors to assess the same, as the Law requires, the Treasurer of the Commonwealth, or of the County, for the time being, is hereby authorized and directed to issue his Warrant under his hand and Seal, directed to the Sheriff of the County or his Deputy, requiring him to levy and collect the sum mentioned therein in manner aforesaid. And the said Sheriff or his Deputy shall execute the said Warrant observing all the rules and regulations, and all the Provisions mentioned in the first enacting Clause in this Act.

— to issue  
warrant in  
case of neglect  
of Assessors.

*And be it further enacted*, that if the Inhabitants qualified to Vote in Town affairs, of any Town, District, or Plantation, in this Commonwealth, from which any State Tax or Taxes now remain due, or from which any State, or County Tax, shall hereafter, be required, shall choose Assessors, who shall neglect to assess the Tax required by the Warrant issued to them, or to reassess any tax on the failure of a Collector and to certify the Assessment as the Law directs and the estates of such Assessors shall be found insufficient to pay the same tax in the manner already provided by Law, then and in every such case the Treasurer of the Commonwealth, or of the County for the time being, is hereby authorized and directed to issue his Warrant, under his hand and Seal, directed to the Sheriff of the County, or his Deputy, requiring him to levy and collect, by distress and Sale, so much of the sum mentioned therein as the Estates of the Assessors shall be insufficient to pay, of the estates real and personal of any other Inhabitants of the deficient Town, District or Plantation, which Warrant the said Sheriff, or his Deputy, shall execute, observing all the rules and regulations and all the said Provisions mentioned in the first enacting clause in this Act.

Inhabitants  
allowed to  
bring actions  
against towns.

*And be it further enacted* that if the estate of any Inhabitant or Inhabitants (not being an Assessor or Assessors) of any Town, District, or Plantation shall be levied upon and taken as aforesaid, he or they shall have an Action or Actions against the Town, District or Plantation, to recover the full value of the Estate so levied upon and taken, with Interest thereon, computed at the rate of twelve per Cent per Annum, and from the time the said estate was taken, with legal costs of suit; and at the trial the Pla[i]ntiff or Pla[i]ntiffs shall be admitted to prove the real and true value of the estate so taken at the time the same was levied upon.

And in order that such Action or Actions may be supported against a Plantation,

*Be it further enacted* that each Plantation in the said Commonwealth, from which any State Tax or Taxes now remain due and unassessed, or from which any State or County Tax shall hereafter be requir'd as aforesaid, be and hereby is made a body politic and corporate for the purposes aforesaid, and liable to such Action or Actions with full power to defend the same, in the same manner as Towns by law, may defend Suits against them.

Plantations  
Incorporated.

*Be it further enacted* that this Act shall continue and be in force for the term of three years from passing the same.

*Approved February 26, 1794.*

### 1793. — Chapter 58.

[January Session, ch. 33.]

AN ACT TO INCORPORATE A RELIGIOUS SOCIETY BY THE NAME OF THE METHODIST SOCIETY IN THE FIRST PARISH OF LYNN IN THE COUNTY OF ESSEX.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same* that Benjamin Johnson, Micajah Newhall, Enoch Mudge, Henry Hollowell, Moses Goodridge, David Walker, Eleazer C. Richardson, James Newhall junr. John Messervey, Zachariah Atwell, Ezra Allen, John Breeden, Daniel Newhall junr. Daniel Lindsey, Burrell Devereux junr., Holton Johnson, James Sealand, John Newhall, Nathaniel Newhall, Thomas Bowler, William Farrington, Amos Farrington, William Farrington junr. Thomas Farrington, James Williams, Rand Graves, James Nourse, Abijah Ramsdell junr. John D. Atwell, Daniel Parrot, Daniel Gallusha, Samuel Green, Eleazer C. Ingalls, Samuel H. Green, Michajah Burell, Theophilus Bacheller, Benjamin Burell, Abijah Ramsdell, Jonathan Rhodes, Samuel Collins, Samuel Fearn, James Fearn, Daniel Newhall, Henry Burchsted, Theophilus Hollowell, Hanson Newhall, John Ireson, Robert Mansfield, Nathan G. Pratt, Rufus Mansfield, John M. Mansfield, Levi Gowdey, Rufus Mansfield junr. Ezra Brown, Daniel Watts, Allen Newhall, Tomson Burrell, Robert Spinney, James Pratt, Nathan Sargent, Abner Inguls, James Bacheller, Joseph Johnson, Benjamin Johnson junr., Thomas A. Breed, Timothy Johnson, Joseph Johnson junr., Timothy Newhall, Daniel Parrot junr. Joseph Par-

Persons incor-  
porated.



rott, William P. Kentisbear, Benjamin Parrott, Benjamin Alley junr. Richard Pratt, Benjamin Parrott junr. Rufus Parrott, Ebenezer Kenney, William Lewis, Ebenezer Burrell Nathan Mudge, Timothy Munro, Samuel Bacheller, John L. Johnson, Timothy Newhall junr., Nathaniel Lewis, John Lewis, Edmund Lewis, Benjamin Lewis, Daniel Ingulls, Henry Richards, Joseph Lewis, Jonathan Ingulls, James Lewis, John Ingulls, Joseph Blaney, Daniel Chace, Daniel Fuller, Joseph Fuller, Richard Whitmore, Susannah Burrage, Samuel Burrell, Richard Richards, Joseph Richards, Isaac Proctor, Edmund Clark, Nathaniel Lewis, Eleazer Ingulls, Ephraim Brown, Samuel Ireson, Nathaniel Ingulls, Edmund Ingulls junr. John Ingulls junr. Samuel Ingulls, Amos Starker, James Parrott, Samuel Martin, Shadrach Ramsdell, Henry Ingulls, William Ramsdell, John Nickels, Ebenezer Newhall junr., Thomas Cheever junr., Joseph Breed junr. Raphaël Wheeler, Theophilus Breed, Joel Breed, Nehemiah Ramsdell, Benjamin Spinney, Foster Newhall, Susannah Flagg, Ebenezer Newhall, Benjamin Newhall junr., Ebenezer Mansfield, Ephraim Alley, Jonathan Mansfield, Aaron Newhall Members of a Religious Society in the Town of Lynn in the County of Essex and all others Inhabitants of said Town who shall become Members of said Society by the purchase or other Ownership of a Pew or Seat in their Meeting House or by usually worshipping with such Society, and thereupon obtaining a Vote of admission as a Member by the Society at a legal Meeting for that purpose, shall be, and they and their Successors, hereby are, incorporated, and made a Body Politic, and Corporate, by the name of the Methodist Society in the first Parish of Lynn, and shall have and enjoy, so long as they shall usu[s]ally support and maintain a Public Teacher of Piety, Religion and Morality all and singular the privlidges and immunities, of a Religious Society, and the Powers and Authorities of a Parish for the Assessment and Collection of any Taxes which shall be Voted and agreed to be levied by such Society at a regular Meeting, for the support of their Institution of Public Worship and any uses of Christian Charity. And the said Society if they see cause may assess and levy their Taxes, or any part thereof, upon the Pews or Seats, of their Meeting House, and may agree upon any method of recovering the same by the Sale of such Pew or Seat, which shall be thought just and con-

> Name of the  
Society.

Empowered to  
raise taxes.



venient at the time when such Assessment shall be ordered. And the said Society may elect annually, and at any other time in case of vacancy and as they shall agree a Clerk and Treasurer and any other Officers which they shall find necessary for the conduct of their affairs, and may sue, and shall be liable to be sued by their corporate name, and thereby shall pursue answer and defend in any Suit. *Provided* that no person not herein named, shall be considered as a Member of the said Corporation, untill it shall be certified by the Clerk thereof, to the Clerk of the Parish or Town wherein such person is, at the time holden for Parish Taxes, and such Certificate delivered accordingly. *And Provided also* that any member of said Society leaving with the Clerk or Treasurer thereof, a Certificate in writing, of his intention to withdraw therefrom shall not be liable in person or Estate to pay any proportion of any Tax thereafter Voted and assessed by said Society but shall be considered as a member of the Parish in which he resides.

Society may  
elect Officers.

Proviso.

*And be it further enacted*, that John Carnes Esqr. be and he is hereby authorized to issue his Warrant, directed to some principal member of said Society, requiring him to warn the first Meeting of the Members qualified to Vote in their Affairs to be holden at some convenient time and place, for the choice of a Clerk and Treasurer, and any other Officers which shall be necessary and to agree upon a method of calling future meetings, and to transact any other matter respecting the affairs of said Corporation which shall be set forth in such Notification.

John Carnes,  
Esq. to issue  
warrant.

*Approved February 26, 1794.*

## 1793. — Chapter 59.

[January Session, ch. 32.]

AN ACT PROVIDING FOR THE RELIEF AND SUPPORT, EMPLOYMENT AND REMOVAL OF THE POOR, AND FOR REPEALING ALL FORMER LAWS MADE FOR THOSE PURPOSES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that every Town and District, within this Commonwealth, shall be holden to relieve and support all poor and indigent persons lawfully settled therein, whenever they shall stand in need thereof; and may vote and raise monies therefor, and for their employment, in the

Towns authorized to support  
poor —

— to choose  
Overseers —

— who shall  
have the care  
thereof.

Provido.

Court of  
Common Pleas  
authorized, in  
case, of support-  
ing poor.

Provido.

same way that monies for other Town or District charges are voted and raised; And may also, at their annual meetings, choose any number, not exceeding twelve, of suitable persons dwelling therein, to be Overseers of [of] their poor, and where such are not specially chosen, the Selectmen shall be Overseers of the Poor *ex officio*.

*Be it further enacted*, That said Overseers shall have the care and oversight of all such poor and indigent persons so settled in their respective Towns and Districts; and shall see that they are suitably relieved, supported and employed either in the workhouse, or other tenements belonging to such Towns or Districts or in such other way and manner, as they, at any legal meeting shall direct, or otherwise at the discretion of said Overseers, at the cost of such Town or District.

*Provided always and be it further enacted*, that the kindred of any such poor person, if any he shall have, in the line or degree, of Father or Grandfather, Mother or Grandmother, Children or Grand children, by consanguinity living within this Commonwealth, of sufficient ability, shall be holden to support such Pauper, in proportion to such ability.

And the Court of Common Pleas in the County where any one of such kindred to be charged shall reside, upon complaint made by any Town or District, or kindred who shall have been at any expence for the relief and support of any such Pauper (which complaint being filed in the Clerk's Office of such Court and summons thereon issued, directed to and served by any proper Officer to serve original summons, and in the manner they are by Law to be served, fourteen days before the sitting of such Court shall be sufficient to hold the persons summoned to answer thereto) may on due hearing either upon the appearance or default of the kindred so summoned, assess and apportion such sum as they shall judge reasonable therefor, upon such of said kindred as they shall judge of sufficient ability and according thereto, to the time of such assessment with costs, and may enforce payment thereof by Warrant of distress, *Provided* such assessment shall not extend to any expence for any relief afforded more than six months previous to the filing of such complaint:

And may further assess and apportion upon them such weekly sum for the future, as they shall judge sufficient

for the support of such Pauper, to be paid quarterly till further order of Court, and upon application from time to time of the Town District or kindred to whom the same shall have been ordered to be paid, the Clerk of said Court shall issue, and may renew a Warrant of Distress for the arrears of any preceding quarter.

And the Court may further order with whom of such kindred that may desire it, such pauper shall live and be relieved, and for such time with one, and such with another, as they shall judge proper, having regard to the comfort of the Pauper, as well as the convenience of the kindred. And upon suggestion, other kindred of ability not named in the complaint may be notified, and the process may be continued, and upon due notice, whether they appear or are defaulted, the Court may proceed against them in the same manner as if they had been named in the complaint. But if such complaint be not entered or be discontinued or withdrawn, or be adjudged groundless the respondents shall recover costs.

And such Court may take further order from time to time in the premises upon application of any party interested, and may alter such assessment and apportionment as the circumstances may vary.

*And be it further enacted*, That said Overseers be, and they hereby are empowered from time to time to bind out, by deed indented or Poll, as apprentices to be instructed and employed in any Lawful art, trade or mystery, or as servants to be employed in any lawful work or labour, any Male or Female children whose parents are lawfully settled in and become actually chargeable to their Town or District; also whose parents so settled, shall be thought by said Overseers to be unable to maintain them (whether they receive alms or are so chargeable or not) *provided* they be not assessed to any Town or district charges; and also all such who or whose parents residing in their Town or District are supported there at the charge of the Commonwealth, or whose parents are unable to support them as aforesaid, to any Citizen of this Commonwealth — That is to say, male children till they come to the age of Twenty one years, and females till they come to the age of eighteen or are married; which binding shall be as valid and effectual in law, as if such children had been of the full age of Twenty one years, and had by a like deed bound themselves, or their parents had been

Overseers  
authorized to  
bind out poor  
children.

Proviso.

consenting thereto: Provision to be made in such deed for the instructing of male children, so bound out to read write, & cypher and of Females, to read, and write and for such other instruction, benefit, and allowance either within or at the end of the term, as to the Overseers may seem fit and reasonable.

Duty of Overseers respecting such children.

*And be it further enacted*, That it shall be the duty of said Overseers, to enquire into the usage of children already legally bound out or that may be bound out by force of this Act, and to defend them from injuries. And upon complaint, by such Overseers made to the Court of Common Pleas in the County where their Town or District is or where the child may be bound, against the master of any such child, for abuse, ill treatment or neglect, said Court (having duly notified the party complained of) may proceed to hear the complaint, and if the same be supported, and the cause shall be judged sufficient may liberate and discharge such child from his or her Master, with costs, for which execution may be awarded, otherwise the complaint shall be dismissed, but without costs, unless it appear groundless and without probable cause, in which case costs shall be allowed the respondent.

Apprentices discharged may be bound anew.

And any apprentice or servant so discharged or whose master shall decease, may be bound out anew, for the remainder of the term in manner aforesaid: And such Overseers may also have remedy by action on such deed, against any person liable thereby, for recovery of damages for breaches of any of the Covenants therein contained, which when recovered shall be placed in the Town or District Treasury, deducting reasonable charges, and disposed of by the Overseers at their discretion for the benefit and relief of such apprentice or servant within the term; the remainder, if any, to be paid him at the expiration thereof; and the Court before which such cause shall be tried originally and on the appeal may also, upon the Plaintiff's request, if they see cause, liberate and discharge such apprentice or servant from his master, if it hath not then been already done in the method before directed by this Act. And such apprentice or servant shall have like remedy when their term is expired, for damages for the causes aforesaid other than such (if any) for which damages may have been recovered as aforesaid, by action upon such deed, to be delivered them for that purpose, and on which no endorsement shall be necessary, *provided*

Power of Overseers.

Proviso.



such action be commenced within two years after the expiration of the term; and where such deed shall have before been put in suit, an attested Copy from the proper Office may be used and have the same force as the original. And no action brought by Overseers shall abate by the death of some of them, or by their being succeeded in Office, pending the action, but it shall proceed in the names of the original pla[i]ntiffs or the survivors of them.

And in case of elopement, any such apprentice or servant may be apprehended by any Justice of the peace of the County where he is bound or where he may be found, upon the complaint of the master or any other on his behalf, and returned to his master by any person to whom the Warrant may be directed, or may be first sent to the house of correction at the Justice's discretion. And every person enticing any such apprentice or servant to elope from his master, or harbouring him, knowing him to have eloped, shall be liable to the master's action for all damages sustained thereby. And the Court of Common Pleas either in the County where the Overseers binding, or the master of any apprentice or servant bound, live, may also upon complaint of such master, for gross misbehaviour, discharge such apprentice or servant from his apprenticeship or service, after due notice to such Overseers and hearing thereupon.

In case of elopement.

Persons enticing to elope liable.

*And be it further enacted*, That said Overseers shall have power to set to work or bind out to service by deed as aforesaid, for a term not exceeding one whole year at a time, all such persons, residing and lawfully settled in their respective Towns or Districts, or who have no such settlement within this Commonwealth, married or unmarried, upwards of Twenty one years of age, as are able of body, but have no visible means of support, who live idly and use and exercise no ordinary or daily lawful trade or bussiness to get their living by; and also all persons who are liable by any law to be sent to the house of correction upon such terms and conditions as they shall think proper.

Overseers authorized respecting persons upwards of 21 years of age.

*Provided always*, That any person thinking him or herself aggrieved by the doings of said Overseers, in the premises, may apply by complaint to the Court of Common pleas, in the County where they are bound, or where the Overseers who bound them dwell, for relief; which Court, after due notice to the Overseers, & to their mas-

Proviso.



ters, shall have power, after due hearing and examination, if they find sufficient cause, to liberate and discharge the party complaining from his or her master, and to release him or her from the care of the Overseers, otherwise to dismiss the complaint, and to give costs to either party or not, as the Court may think reasonable.

Authorized  
respecting those  
poor who live  
without the  
bounds of in-  
corporated  
towns.

*And be it further Enacted*, that the poor persons standing in need of relief, living without the bounds of any incorporated town or district, shall be under the care of the Overseers of the poor, appointed in the adjoining town or district, wherein the inhabitants of such unincorporated place are usually taxed: And the same Overseers shall have the like authority to bind out the children of such poor persons, as they are vested with respecting the children of persons in like circumstances, inhabitants of the town or district in which they are appointed. And such Overseers may also set to work, or bind out, as aforesaid, for a space not exceeding one whole year at a time, all such persons above the age of twenty one years, married or unmarried, residing in their County, but without the bounds of any town or district, as are able of body, but have no visible means of support, or who live idly, using no ordinary, daily lawful trade or business to get their living by, or who are liable by any law, to be sent to the house of correction, and shall receive and apply their earnings, (deducting reasonable charges) to the support of [of] them or their families, if any they have, at their discretion, saving to such persons the like remedy for relief, if they think themselves agrieved, as is by this act provided for persons set to work, or bound out for like causes by Overseers of towns.

Keepers of  
houses of ill  
fame to be  
apprehended.

And for the prevention of poverty as well as lewdness,  
*Be it further Enacted*, that any person who shall be suspected of keeping a house of ill fame, resorted to for the purposes of prostitution or lewdness, may be apprehended, by Warrant from any Justice of the Peace, in the County, upon complaint of the Overseers of the town or district wherein such house shall be, & upon conviction of such offence before such Justice, or before the Court of General Sessions of the Peace, or presentment of the Grand Jury, may be ordered to the house of correction, for a term not exceeding one month, and after such conviction, shall not be allowed to keep lodgers or boarders, in any town or district, without the licence of the Overseers of the poor thereof.

*And be it further Enacted*, that it shall also be the duty of said Overseers, in their respective towns or districts, to provide for the immediate comfort and relief of all persons residing, or found therein, not belonging thereto, but having lawful settlements in other towns or districts, when they fall into distress, and stand in need of immediate relief, & untill they shall be removed to the places of their lawful settlements, the expences whereof, incurred within three months next before notice given to the town or district to be charged, as also of their removal, or of their burial, in case of their decease, may be sued for and recovered, either in a civil action, by the town or district incurring the same, against the town or district wherein such persons had such settlements, or in the method by complaint, hereafter prescribed in and by this act; *provided* such action or complaint for damages be commenced or preferred within two years after the cause of action arose, but not otherwise. And in such civil action, the settlement of the pauper shall not be contested by the defendants, if it hath been then adjudged to be in their town or district upon such process, as is hereinafter prescribed, otherwise it may be: And a recovery in such action shall bar the town or district, against which the same shall be had, from disputing the settlement of such pauper, in such town or district, with the town or district so recovering, in any future action or process, brought and prosecuted for the support or removal of such pauper.

Overseers  
authorized to  
provide for  
strangers —

at the expence  
of their own  
town.

Proviso.

*And be it further Enacted*, that all persons actually chargeable, or who through age or infirmity, idleness or dissoluteness, are likely to become chargeable to the places wherein they are found, but in which they have no lawful settlement, may be removed to the places of their lawful settlements, if they have any within the Commonwealth: And in order to effect such removal, (and also to recover the expences incurred for the relief of such persons, if said Overseers choose that mode in preference to a civil action) said Overseers may apply by complaint, to any Justice of the Peace in their County, not an inhabitant of their town or district, which complaint may be in substance, as follows

Paupers to be  
removed to  
their lawful  
settlements.

To            a Justice of the peace in and for the County of    The Town of            in the said County, by the subscribers, Overseers of their poor, complain & shew that, now resident in said town, is poor, & become charge-

Form of com-  
plaint.

able (or is likely to become chargeable) to said town; & that his lawful settlement is in        in the County of        . Wherefore your Complainants pray, that after a due course of proceedings had, the lawful settlement of said        may be adjudged to be in said town of        ; & that he may be removed thither by Warrant accordingly. Your Complainants further pray judgment for damages, for expences incurred on account of said        an account whereof is annexed, and for such as may accrue till the time of judgment, and for costs. Dated at said        the        day of        A D 17        .

A. B. &c Overseers

Upon which complaint, such Justice shall make out and annex thereto a summons, directed to the Sheriff or his deputy, of the County wherein the town to be summoned is, in substance as follows.

— ss To the Sheriff of the County of        or his deputy;        GREETING.

Form of summons.

[SEAL] In the name of the Commonwealth of Massachusetts, you are hereby required to summons the town of        , in said County of        to appear, if they see fit, before me the subscriber, a Justice of the Peace, in and for said County of        at        in said County of        on the        day of        at        of the Clock in the        noon, to shew cause, if any they have, why the prayer of the above-written complaint should not be granted, by leaving an attested copy thereof, and of this summons, with the overseers of the said town of        or some one of them, thirty days before said        day of        & make return hereof, and of your doings herein, unto me the said Justice, on or before the said        day of        . Hereof fail not.

Given under my hand and seal, the        day of        in the year of our Lord        T P.

Party and witnesses to be summoned.

And such Officer shall serve and return the same, his being an inhabitant of the town to be summoned notwithstanding, for the same fees as for other writs of summons. And such Justice shall summons the party to be removed, & other witnesses, and may, if he see cause, compel the appearance of the former by Warrant, to be examined; and shall hear his objections to such removal, and may for

good cause continue the process once, not exceeding three months; and after due examination and hearing, whether the town summoned appears or not, shall proceed to give judgment for, or against the Complainants, and make a record thereof in substance as follows.

— ss At a Court held before me      Esqr. a Justice  
of the peace, in & for the County of      at      in said Form of judg-  
ment.  
County, on the      day of      in the year of our Lord,  
one thousand seven hundred and      the town of      in  
the County of      Complainants against the town of  
in the County of      , shewing that      now resident in  
said town of      is poor      and become chargeable to  
that town, (or is likely to become chargeable, as the fact  
may be) and that said town of      is the place of his law-  
ful settlement, & praying it may be so adjudged; and that  
he may be removed thither, (and for damages for ex-  
pences incurred on account of such pauper, or that may  
be incurred, & for costs) The parties appear (or the  
complainants appear, but the said town of      although  
solemnly called doth not appear, but makes default, as  
the case may be) and after due examination & hearing, &  
on due consideration of the premises had, I do adjudge  
the same to be true, and I do also adjudge, that the law-  
ful settlement of the said      is in the said town of      ; &  
that he be removed thither, and that the Complainants  
recover costs (or that the complainants recover the sum  
of      damages, for expences incurred to this time for the  
support of said      , as the case may require) (or if in  
favor of the town complained of, say, I do adjudge that  
the said      is not likely to become chargeable to said  
town of      or that the lawful settlement of said      is  
not in said town of      & that said town of      recover  
costs) Recorded by me

*Justice of the Peace.*

No costs however, to be awarded for such town, if de-  
faulted; but if the complaint be not entered, or be dis-  
continued, or not prosecuted, the town complained of  
appearing, & praying therefor, shall recover costs. And  
upon judgment of removal, such Justice may issue his  
Warrant of removal, directed to, and to be executed by  
any Constable of the town, from whence the person is to  
be removed, or to any particular person by name, in the  
following form.

Costs to be  
awarded, as the  
case may be.



Warrant of  
removal.

— ss To any Constable of the town of       in the  
County of       or to       GREETING.

[SEAL] Whereas at a Court held on       before me  
Esqr. a Justice of the peace, in & for the County of  
on the       day of       it was adjudged by me the said  
Justice that       now resident in said town of       is charge-  
able (or likely to become chargeable, as the case may be)  
thereto; that his lawful settlement is in the town of       in  
the County of       and that he be removed thither. I do  
therefore, in the name of the Commonwealth of Massa-  
chusetts, hereby authorize and require you forthwith to  
take, remove and convey by land or water, as may be  
most convenient, the said       to the said town of       , and  
him deliver to the Overseers of the poor thereof, or some  
one of them, who are hereby required to receive and pro-  
vide for him, as an inhabitant of that town. And of this  
Warrant, & of your doings herein, you are to make return  
to me, as soon as may be, after you shall have executed  
the same.

Given under my hand and seal the       day of       in the  
year of our Lord one thousand seven hundred and       .  
J P.

Overseers to  
provide.

And such Overseers shall be obliged to receive and pro-  
vide for such person accordingly; and said Justice may  
also award execution for damages & costs; and may tax  
in costs a reasonable sum, for the expence of removal;  
and the execution may be issued to, and may be executed  
by a proper officer, in the County where the town is,  
against which it issues. And in all the proceedings afore-  
said, the word *district* shall be inserted, instead of the  
word *town*, where the cases require it.

Execution may  
be issued against  
the town.

Proviso.

*Provided always*, that either party, as also any person  
who shall be adjudged likely to become chargeable, &  
ordered to be removed, agrieved at the judgment of such  
Justice, may appeal therefrom to the next Court of Com-  
mon pleas, to be holden in & for the same County, and  
shall produce copies, and enter and prosecute the same as  
other appeals are. And said Court shall hear and deter-  
mine the same without a Jury, & may award like Warrant  
for removal, and like Execution for damages and costs,  
*mutatis mutandis*; or may on complaint affirm the judg-  
ment of the Justice with additional damages and costs,  
where the appeal is not prosecuted, and carry such judg-  
ment into execution.



*And be it further Enacted*, that such complaint may be originally made by said Overseers, if they see fit, to the Court of Common pleas in their County, by filing the same with the Clerk of said Court, and procuring a like summons from him, *mutatis mutandis*, and causing the same to be served in time and manner as aforesaid, as also summons for the party to be removed, and for witnesses ; and such Court, upon such complaint, shall proceed to hear, determine, adjudge, and grant Warrant and Execution, in the same manner as in cases coming before them by appeal, and in all their adjudications in the premises, they shall state the facts upon which their judgments are founded, to the end that error therein, if any, may be corrected by writ of error, in the Supreme Judicial Court, to which either party agrieved shall be intitled, if purchased within a year, but not otherwise, and upon which, if judgment be reversed, such judgment shall be given, as ought to have been given below, & the plaintiffs in error shall be restored to all they lost by such erroneous judgment with costs ; but if the judgment be affirmed the defendants shall recover costs. And said Supreme Judicial Court may send to said Courts of Common pleas, and require them to state other facts, when it shall appear by suggestion or otherwise, that some material ones were omitted in the statement aforesaid, or to explain such as do not appear to the Court to be clearly stated ; unless a new statement be agreed to by the parties. And depositions may be used before the Justice, as well as Court of Common pleas, on the trial of such complaints, when taken legally, and for legal cause. And when expences for support of a pauper are prayed for in such complaint, the same complaint may be proceeded upon to judgment, so far as respects his settlement, and such expences, the decease of the pauper pending the complaint notwithstanding. But all complaints & suits for removal of paupers, or recovery of expences for their support to be made and prosecuted by the town of Boston in the County of Suffolk, shall be made and prosecuted either in the County of Middlesex or Norfolk, and all such complaints and suits to be made or prosecuted by the town of Sherburne, in the County of Nantucket, or by any town in the County of Duke's County, shall be made and prosecuted either in the County of Bristol or Barnstable.

Complaint to be made by Overseers.

Court of Common Pleas to hear and determine.

Parties may appeal.

Complaints — where to be prosecuted.

Proviso.

*Provided always, & be it further Enacted*, that said Overseers may in all cases, if they judge it expedient, previous to any such application to any Justice of the Peace, or Court of Common Pleas, send a written notification, stating the facts relating to any person actually become chargeable to their town or district, to one or more of the Overseers of the place where his settlement is supposed to be, and requesting them to remove him, which they shall have power to do by a written order, directed to any particular person by name, who is hereby authorized and required to obey the same; and if such removal is not effected, nor objected to by them in writing after such notice, to be delivered in writing within two months after such notice to the Overseers of the town or district requesting such removal, or to some one of them, then such Overseers may remove such person by land or water, as is most convenient, by a written order directed to, & to be served by any persons, who shall be particularly mentioned in such order, to said place of his supposed settlement, the Overseers whereof, shall be obliged to receive and provide for him, & their town or district shall be liable for the expences of his support and removal, to be recovered by action, as aforesaid, by the town or district incurring the same, and shall be barred from contesting the question of settlement with the plaintiffs in such action. And if any person lawfully removed, agreeably to this act, to the place of his lawful settlement within this Commonwealth, shall voluntarily return to the town or district from which he was removed, without their consent, he shall be deemed a vagabond, and upon conviction thereof before any Justice of the peace in the same County, may be sent to the house of correction.

Overseers to  
order burials.

*And be it further Enacted*, that said Overseers shall also relieve and support, and in case of their decease, decently bury all poor persons residing or found in their towns or districts, having no lawful settlements within this Commonwealth, when they stand in need; and may employ them as other paupers may be; the expence whereof may be recovered of their relations, if they have any, chargeable by law for their support, in manner herein before pointed out; otherwise it shall be paid out of the Treasury of the Commonwealth by Warrant from the Governor, by and with advice of Council, an account thereof having been first exhibited to, and examined and

allowed by the General Court. And upon complaint of such Overseers, any Justice of the Peace in their County may by Warrant directed to, & which may be executed by any Constable of their town or district, or any particular person by name, cause such pauper to be sent and conveyed by land or water, to any other State, or to any place beyond sea, where he belongs, if the Justice thinks proper, if he may be conveniently removed, at the expence of the Commonwealth; but if he cannot be so removed, he may be sent to, and relieved, and employed in the house of correction, or work-house, at the public expence. And every town and district shall be holden to pay any expence which shall be necessarily incurred for the relief of any pauper, by any inhabitant not liable by law for his or her support, after notice and request made to the overseers of the said town or district, & untill provision shall be made by them.

Justices, on complaint, may cause paupers to be removed.

*And be it further Enacted*, that in all actions & prosecutions by complaint founded on this act, for or against any town or district, or against any individual, the Overseers of the poor thereof, or any person, by writing under their hands appointed, shall & may appear, prosecute or defend the same to final judgment and execution, in behalf of such town or district; & every act or thing required, or authorised, by them to be done by this act, may be done by them, or the major part of them.

Overseers empowered to prosecute and defend, in behalf of towns.

*And be it further Enacted*, that if any person shall bring and leave any poor & indigent person in any town or district in this Commonwealth, wherein such pauper is not lawfully settled, knowing him to be poor & indigent, he shall forfeit and pay the sum of twenty pounds, for every such offence, to be sued for and recovered by, and to the use of such town or district by action of debt, in any Court proper to try the same.

Forfeiture, in case.

*And be it further Enacted*, that if any master or other person, having charge of any vessel, shall therein bring into, and land, or suffer to be landed in any place within this Commonwealth, any person, before that time convicted in any other State, or in any foreign Country of any infamous crime, or any for which he hath been sentenced to transportation, knowing of such conviction, or having reason to suspect it, or any person of a notoriously dissolute, infamous and abandoned life and character, knowing him or her to be such, shall for every such

Masters of vessels prohibited from bringing in infamous persons.

offence forfeit the sum of one hundred pounds, one half thereof to the use of the Commonwealth, & the other half to the use of any person being a citizen of, and residing in this Commonwealth, who shall prosecute & sue for the same, by action of debt as aforesaid.

And in order to prevent charge to the Commonwealth, or any towns or districts therein, by the importation of such convicts, or of infirm and vicious persons :

Masters of vessels, on arrival, to make report of passengers.

*Be it further Enacted*, that the Master, or any other person, having charge of any vessel arriving at any place within this Commonwealth, with any passengers on board, from any foreign dominion or Country, without the United States of America, shall within forty eight hours after such arrival, make a report in writing under his hand, of all such passengers, their names, nation, age, character and condition, so far as hath come to his knowledge, to the Overseers of the poor of the town or district, at, or nearest to which such vessel shall arrive, who shall record the same in a book kept for that purpose in their office. And every such master or other person, that shall neglect to make such report, or that shall wittingly and willingly make a false one, shall for each of those offences forfeit the sum of fifty pounds, to be sued for and recovered, by action of debt as aforesaid, by, and to the use of such town or district.

Act repealed.

Exceptions.

*And be it further Enacted by the authority aforesaid*, that an Act intituled, “ An Act providing for the support of the poor,” passed the fourteenth day of February, in the year of our Lord one thousand seven hundred and eighty nine, and all other laws, and parts of laws heretofore made and passed, relative to the support, employment, binding, warning out, or removal of the poor be, and the same hereby are repealed ; saving that they shall remain in force as to all actions or prosecutions already commenced, and now pending upon them, saving also, that all acts and things already lawfully done and completed, under and by force of them, be, and hereby are confirmed and declared to be valid ; & saving further that this repeal shall not be construed to extend to an act intituled, “ An Act for suppressing and punishing of rogues, vagabonds, common beggars, & other idle, disorderly and lewd persons,” passed the twenty sixth day of March, in the year of our Lord, one thousand seven hundred and eighty eight ; nor to an act intituled, “ An Act for erecting



work-houses for the reception and employment of the idle & indigent" passed the tenth day of January in the year of our Lord, one thousand seven hundred and eighty — nine; nor to an act passed the present sessions of the General Court intitled, "An Act ascertaining what shall constitute a legal settlement of any person, in any town or district within this Commonwealth, so as to intitle him to support therein, in case he becomes poor and stands in need of relief, and for repealing all laws heretofore made respecting such settlement."

*Approved February 26, 1794.*

### 1793. — Chapter 60.

[January Session, ch. 35.]

AN ACT IN ADDITION TO AN ACT INTITLED "AN ACT TO INCORPORATE A NUMBER OF INHABITANTS OF THE TOWNS OF ROCHESTER AND MIDDLEBOROUGH, IN THE COUNTY OF PLYMOUTH AND FREETOWN IN THE COUNTY OF BRISTOL INTO A SEP[R]ERATE PRECINCT, BY THE NAME OF THE CONGREGATIONAL PRECINCT IN ROCHESTER, MIDDLEBOROUGH AND FREETOWN."

*Whereas by said Act it was enacted, that the third Parish in Rochester should continue to have existance for one year, after the passing of said act, for certain purposes therein mentioned, which time is found by experience to be insufficient for the intended purposes.*

Preamble.

*Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that the existance of the said third parish in Rochester, shall be continued untill the twenty third day of March, in the year of our Lord, seventeen hundred and ninety five, with corporate powers to enforce the collection of taxes, recovery of their just demands and payment of their debts.*

Existence of the parish extended.

*And be it further enacted by the authority aforesaid, that the Clerk and Treasurer of said Congregational Precinct respectively and successively, be authorized to receive the records and papers severally belonging to the offices of the Clerk and Treasurer of said third parish, as soon as the corporate existence thereof shall cease; and that the Clerk and Treasurer of said Precinct for the time being, be severally authorized to grant, and officially and legally to attest all copies therefrom, that may hereafter be found necessary, by any request whatever.*

Clerk and Treasurer authorized for certain purposes.

*Approved February 26, 1794.*



## 1793. — Chapter 61.

[January Session, ch. 36.]

AN ACT IN ADDITION TO AN ACT INTITLED “AN ACT TO INCORPORATE THE EAST PART OF GREENFEILD IN THE COUNTY OF HAMPSHIRE, INTO A TOWN BY THE NAME OF GILL.”

Towns to  
assemble  
jointly, to  
elect Repre-  
sentatives.

*Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* that untill the said Town of Gill, shall have a sufficient number of rateable polls, to entitle them to send a Representative, they shall assemble, and meet at said Greenfeild, and with the qualified inhabitants thereof unite in choosing a Representative to serve in the General Court of this Commonwealth, who may be chosen either from the Town of Greenfeild, or the Town of Gill, and the said Towns of Greenfeild, and Gill, shall contribute towards payment of the wages of their Representatives thus chosen, in the same rate, and proportion as they are assessed in the last general valuation.

Selectmen to  
give notice.

*And be it further enacted by the authority aforesaid,* that the Selectmen of said Greenfeild, shall annually, at least twenty days previous to their meeting for the choice of a Representative as aforesaid, give notice to the Selectmen of said Town of Gill, of the time, and place of such meeting; any Law of this Commonwealth to the contrary notwithstanding.

*Approved February 26, 1794.*

## 1793. — Chapter 62.

[January Session, ch. 37.]

AN ACT IN ADDITION TO AN ACT, INTITLED “AN ACT TO REGULATE THE CATCHING OF SALMON, SHAD, AND ALEWIVES, AND TO PREVENT OBSTRUCTIONS IN MERRIMACK RIVER, AND IN THE OTHER RIVERS, AND STREAMS RUNNING INTO THE SAME WITHIN THIS COMMONWEALTH, AND FOR REPEALING SEVERAL ACTS HERETOFORE MADE FOR THAT PURPOSE.”

Method of  
recovering  
fines and  
forfeitures.

*Be it Enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same;* That all pecuniary fines, or forfeitures for the breach of an Act, passed in the year of our Lord one thousand, seven hundred, and ninety, intituled “an Act to regulate the catching, Salmon, Shad, and Alewives, and to prevent obstructions in Merrimack River, and in the other rivers, and streams running into the same within

this Commonwealth, and for repealing several acts heretofore made for that purpose," which by the said act are set at more than four pounds, may be recovered by indictment, either in the supreme judicial Court, or Court of General sessions of the peace in the County where the offence shall be committed.

*And be it further Enacted by the authority aforesaid,* That where any person, or persons shall be convicted in either of the said courts of erecting, or continuing any obstructions or incumbrance in, or across any of the Rivers, or Streams mentioned in the said act so as to prevent the free passage of the said fish up and down the said rivers and streams, the Court before whom such conviction shall be, besides rendering Judgment for such fine and cost, shall order such obstruction or incumbrance to be removed, and the materials thereof to be sold at Vendue to pay the expence of such removal with the officer's fees, and if the same shall not be sufficient, may order the deficiency to be raised and levied on the goods, and chattels of the person or persons convicted of erecting, or continuing the same; and the warrant for removal shall be directed to the Sherrieff, deputy sherriff, or coroner of the same county as the case may require.

*And be it further Enacted,* that the fines, and forfeitures which shall be recovered by indictment pursuant to this act, shall be wholly to the use of the County in which the recovery shall be, towards discharging the expences of such County, any thing in the said act, whereto this addition is made, to the contrary notwithstanding.

*Approved February 26, 1794.*

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### 1793. — Chapter 63.

[January Session, ch. 34.]

AN ACT IN ADDITION TO, AND FOR THE AMENDMENT OF AN ACT, INTITLED "AN ACT REGULATING THE APPOINTMENT AND SERVICES OF GRAND JURORS."

*Whereas the mode of appointing Grand Jurors, hitherto in use, has been found inconvenient, & is liable to abuse.*

*Be it Enacted by the Senate, and House of Representatives, in General Court assembled, & by the authority of the same,* that from and after the first day of August next, when the inhabitants of any town shall be assembled according to law, for the purpose of appointing a

Manner of  
appointing  
Jurors.

grand Juror or grand Jurors, to serve either in the Supreme Judicial Court, or the Court of General Sessions of the peace, one of the Selectmen, not being the Clerk of such town, (a majority of whom shall be present at such meeting) shall from the box, wherein are contained the names of such of the inhabitants of said town, as are intended to serve on the petit Jury at the Supreme Judicial Court, draw out as many tickets or names, as there may be grand Jurors required by the *venire* from the Clerk of either of said Courts; and the person or persons whose name or names shall be so drawn out, shall be the grand Juror or grand Jurors, to serve at either of said Courts for which they may be required.

To be sworn.

*And be it further Enacted by the authority aforesaid,* that the grand Jurors appointed as aforesaid, shall be summoned and sworn in the same manner as is directed in the act to which this is an addition; and all the penalties, provisions and directions in said act mentioned and contained, shall be and remain in full force, except as is herein otherwise directed.

Grand Juror  
not excused as  
Petit Juror.

*And be it further Enacted by the authority aforesaid,* that the service of any person as a grand Juror, shall not exempt or excuse him from serving as petit Juror, except at the Court, or within the term for which he may be chosen to serve as grand Juror.

Town Clerk to  
have the care  
of the boxes  
containing  
names.

*And be it further Enacted by the authority aforesaid,* that the boxes which contain the tickets or names of the inhabitants of any town intended to serve as petit Jurors, either in the Supreme Judicial Court, or Court of Common pleas and General Sessions of the peace, which by law are to be provided and kept, shall be deposited and kept in the office of the Clerk of said town.

Forfeiture, in  
case of fraud.

*And be it further Enacted by the authority aforesaid,* that if the town Clerk, or Selectmen of any town, shall be guilty of any fraud in the draft & appointment of any grand Juror, who may be drawn or appointed in pursuance of this act, either by returning the name of such grand Juror into the box, after it may have been fairly drawn out, and substituting some other name, or in any other way whatsoever, such town Clerk or Selectman, shall forfeit and pay for such offence, the sum of ten pounds, to be recovered by action of debt, in any Court proper to try the same, one moiety thereof to be and enure to the Commonwealth, the other moiety thereof to

How divided.

him or them who shall prosecute for, and recover the same. *Provided* that, if any person whose name may be drawn out to serve as a grand Juror, in pursuance of this act, shall at the time it is so drawn, be absent beyond sea, or out of the Commonwealth, the Selectmen may return the same into the box again, and proceed to draw out the name of some other person or persons in their stead, who shall be the grand Juror or grand Jurors required.

Proviso.

*And be it further Enacted by the authority aforesaid,* that from and after the first day of August aforesaid, the manner of notifying and warning the inhabitants of any town to assemble for the purpose of being present at the appointment of a grand Juror or Jurors, in pursuance of this act, shall be the same as shall be, or has been agreed upon by such town, for notifying and warning the annual town meeting in such town, for the choice of town officers; or in such other manner as any town may agree upon.

Manner of warning inhabitants for the purpose.

*And be it further Enacted,* that the several towns in the Counties of Nantucket and Dukes County, shall have power to select one third part of the number which shall be contained in the list of persons qualified to serve as petit Jurors, & which shall be laid before the town from time to time by their Selectmen agreeable to law; and such as they judge best qualified to serve at the Supreme Judicial Court, and to cause their names to be put into the box provided and appropriated to contain the names of persons to serve as petit Jurors at the Supreme Judicial Court, any thing in the law for regulating the choice and services of petit Jurors, to the contrary notwithstanding.

Power of the towns in certain counties.

*Approved February 26, 1794.*

## 1793. — Chapter 64.

[January Session, ch. 33.]

AN ACT FOR DETERMINING THE TIMES AND PLACE OF HOLDING THE SUPREME JUDICIAL COURT, AND THE COURT OF GENERAL SESSIONS OF THE PEACE, AND COURT OF COMMON PLEAS FOR AND WITHIN THE COUNTY OF HAMPSHIRE.

*Whereas the town of Northampton, on account of its central situation, appears to be the most suitable place for holding the Supreme Judicial Court, and the Court of General Sessions of the Peace, and Court of Common*

*Pleas, within and for the County of Hampshire, and the most likely to give general satisfaction to the inhabitants thereof.*

*Be it therefore Enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same, that the Supreme Judicial Court, shall hereafter be holden in the town of Northampton, in the said County of Hampshire, on the last Tuesday of April, and the fourth Tuesday of September, annually; and that the said town of Northampton shall be the shire town of said County of Hampshire.*

*And be it further Enacted by the authority aforesaid, that the Court of General Sessions of the peace, and Court of Common pleas, within and for the County of Hampshire, shall hereafter be holden at Northampton, on the third Tuesday of May, the first Tuesday of September, the second Tuesday of November, and the second Tuesday of January, annually; any law heretofore made to the contrary notwithstanding. Approved February 26, 1794.*

### 1793. — Chapter 65.

[January Session, ch. 39.]

AN ACT FOR ASCERTAINING THE QUALITY OF STONE LIME, AND THE SIZE OF LIME CASKS, AND FOR REPEALING ALL LAWS HERETOFORE MADE RELATIVE THERETO.

*Whereas considerable quantities of Stone Lime are and may be manufactured within this Commonwealth, which, if subjected to proper regulations may become an article of Export —*

*Be it Enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same; That from, and after the first day of July next no stone lime manufactured within this Commonwealth, shall be sold, or exposed to sale, or shipped on board any vessel in casks, but such only as shall be well burnt and pure, and contained in hogsheads of one hundred gallons each, or half hogsheads of fifty gallons each made of well seasoned oak, or ash staves with ten hoops on each cask well driven, and sufficiently secured with nails or pins. — And every manufacturer, or owner of lime at the time it is manufactured, and put into casks shall with a burning Iron impress, or mark on one of the heads of each cask of lime his own name, and the name*

Method of  
making and  
casking Stone  
Lime.



of the town, or place, where said lime is manufactured both at length, and the contents in figures.

*And be it further enacted*, that if the manufacturer or owner of any stone lime as aforesaid, or any other person employed by him, shall presume to sell or expose to sale, or ship, or receive on board any vessel in casks any lime other than such as shall be contained in a cask, or casks made as aforesaid, and having the aforesaid marks or brands, the offender or offenders shall incur the penalty of ten shillings for each cask so sold, or offered for sale, or shipped, or received on board any vessel, to be sued for, and recovered before any justice of the peace, or Court of common pleas, as the case may require by action of debt, and all such lime, and cask, or casks shall be forfeited, and may be recovered by libel as the law directs. And it shall be lawfull for any justice of the peace upon information given of any such cask or casks of lime sold, or exposed to sale, or put, or received on board any vessel as aforesaid not made and duly marked, or branded as aforesaid, to issue his warrant directed to the Sherrif, his deputy or constable requiring them respectively to make seizure of any such lime sold, or exposed to sale, or shipped, or received on board any Vessel and not made, and marked as aforesaid, and to secure the same in order for tryal, and such officers are respectively directed and impowered to execute the same.

Forfeiture, in case of offence.

Officer to seize and secure for trial.

*And be it further enacted*; That if after any cask, or casks, containing lime shall have been stamped with the manufacturer's, or owners marks as aforesaid, any cooper, or other person shall presume to shift the contents of said cask, or casks, and put therein any other lime with a design to sell, or ship the same on board any vessel, such cooper, or other person so offending shall forfeit, and pay the sum of ten shillings for every cask of lime, so shifted to be recovered in manner as aforesaid.

Forfeiture, in case of fraud.

*And be it further Enacted*; that if any manufacturer, or manufacturers, owner, or owners of lime as aforesaid, or other person shall be guilty of any fraud in marking with their respective brands, any cask or casks of lime, that shall not be merchantable according to [to] the true intent, and meaning of this Act, he or they shall forfeit, and pay the sum of twenty shillings for every such offence, or for every cask so falsly marked to be recovered as aforesaid.

Manufacturers subject to forfeiture, in case of fraud.

*And be it further Enacted*; that if any manufacturer, or owner of lime, or any other person employed by him shall presume to brand any cask, or casks of lime with the name of any other person, or persons, than of the real manufacturer, or manufacturers, or the right owner, or owners thereof he or they shall incur the penalty of twenty shillings for every cask, so marked, or branded, to be recovered as aforesaid.

Division of  
penalties.

*And be it further Enacted*, that all penalties, and forfeitures arising by virtue of this Act shall be one moiety thereof to the use of the County, in which the offences shall be committed, and the other moiety to him, or them who shall inform and sue for the same.

*And be it further Enacted, by the authority aforesaid*, that all Laws heretofore made for regulating the sale of lime be, and they hereby are repealed — *Provided nevertheless* that nothing in the foregoing act shall be construed to restrain any manufacturers of lime, or other person from retailing lime by the bushel, or other quantities not in casks.

*Approved February 26, 1794.*

## 1793. — Chapter 66.

[January Session, ch. 40.]

AN ACT FOR CONTINUING AN ACT, MADE IN THE YEAR OF OUR LORD, ONE THOUSAND SEVEN HUNDRED AND EIGHTY NINE, INTITLED "AN ACT TO PREVENT THE DESTRUCTION OF THE FISH CALLED SHAD AND ALEWIVES IN MISTICK RIVER, SO CALLED, WITHIN THE TOWNS OF CAMBRIDGE, CHARLESTOWN AND MEDFORD, & FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE;" AND ALSO FOR EXTENDING THE SAID ACT TO THE TOWNS OF WOBURN AND MALDEN.

*Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that the said Act, in every article and clause, matter and thing, shall continue and be in force after the first day of March next, any thing in the said act to the contrary notwithstanding.

Act continued.  
  
Act extended to  
Woburn and  
Malden.

*And be it further enacted by the authority aforesaid*, that the said act shall extend to the towns of Woburn & Malden, in the same manner as it would have extended, in case the said towns had been expressly named in the said Act.

*Approved February 27, 1794.*

# 1793. — Chapter 67.

[January Session, ch. 41.]

AN ACT FOR THE NATURALIZATION OF HENRY HUETSON PENTLAND.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that the said Henry Huetson Pentland, upon his taking the Oaths of allegiance, and abjuration required by the Constitution of this Commonwealth & the Oaths for supporting the Constitution of the United States of America before two Justices of the Peace *quorum unus* shall be deemed, adjudged and taken to be a free Citizen of this Commonwealth to all intents, constructions, and purposes as though he the said Henry had been an Inhabitant within this State at the time of making the present form of civil Government.

Person  
naturalized.

*And be it further enacted,* that the Justices before whom the same Oaths shall be taken shall return a Certificate of the same into the Secretary's Office, to be placed on the Records of this Commonwealth.

*Approved February 27, 1794.*

# 1793. — Chapter 68.

[January Session, ch. 42.]

AN ACT INCORPORATING THE RECTOR, WARDENS, AND VESTRY OF THE EPISCOPAL CHURCH IN DEDHAM FOR CERTAIN PURPOSES.

*Whereas doubts have arisen whether the Rector, Wardens and Vestry of said Church or any other persons are legally vested with authority to make and execute, good and sufficient Deeds or Leases of Land belonging to said Church, and also whether the said Rector Wardens and Vestry are legally vested with authority to sue for and recover any debts that may be legally and justly due to said Church.*

Preamble.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* That William Montague Rector, George Clark and Jesse Richards Wardens — Timothy Richards, Joshua Kingsburry, John Palmer, William Crehore, and Noah Kingsburry Vestry men of said Church and their Successors in Office are and shall be deemed so far a Body cor-

Vestry-men  
incorporated.

porate under the name of the Episcopal Church in Dedham as to Sue for and to recover all Debts now due or which may hereafter become due to said Church, and also to Sue and defend in all other Actions in which said Church may be concerned.

—impowered.

*And be it further enacted* that the Rector, Wardens and Vestry of said Church and their Successors in Office be and they are hereby impowered to lease for term of life or number of years conformable to the Vote of the Proprietors, any lands, tenements and hereditaments belonging to said Church, to any persons that shall apply for the same; —and also to make and execute a good and sufficient Deed in law of a piece of land given to said Church by Samuel Colburne deceased, sufficient for the situation of a Court house and other Public Buildings for the use of the County of Norfolk if wanted therefor.

*Approved February 27, 1794.*

### 1793. — Chapter 69.

[January Session, ch. 43.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR BUILDING A BRIDGE OVER BACK COVE RIVER, BETWEEN PORTLAND & FALMOUTH AND FOR SUPPORTING THE SAME.

*Whereas the erecting a Bridge over the river between Portland and Falmouth, will be of great public utility, and Thomas Smith & others have petitioned this Court for an incorporation.*

Proprietors  
incorporated.

*Be it therefore Enacted by the Senate, and House of Representatives in General Court assembled & by the authority of the same,* that Thomas Smith, Peter Thatcher Smith, Moses Plummer, William Cobb, Enoch Ilsley, Daniel Ilsley, James Lunt, Enoch Moody, Nathaniel Coffin, and Ebenezer Mayo be, and they are hereby constituted a Corporation and body politic, for the purpose of building a bridge over Back Cove river, between Portland and Falmouth, so long as they shall continue to be proprietors in the fund to be raised for that purpose, together with all those who are or shall hereafter become proprietors of the said fund, under the name of the Proprietors of Back Cove Bridge; and by that name may sue and prosecute, be sued or prosecuted to final judgment & execution; & do & suffer all other matters and things, which bodies politic may, & ought to do and suffer; and

Name.

that said Corporation shall & may have full power and authority to make, have and use a common seal, and the same to break and alter at pleasure.

*And be it further enacted by the authority aforesaid,* that William Cobb, Lemuel Weeks and James Lunt, or any two of them, may by advertisement in either of the news papers published in Portland, call a meeting of the said proprietors to be holden at any proper place after fifteen days from the publication of said advertisement, and the proprietors by a vote of the majority of those present, or represented at the said meeting, accounting and allowing one vote to each single share; (*provided* that no one proprietor shall have more than six votes in any case) shall have power to transact any business for the benefit of said Corporation; *Provided* it be not repugnant to the Constitution or laws of this Commonwealth. And this Act, and all rules regulations and votes of said Corporation, shall be fairly and truly recorded by the Clerk in a book or Books for that purpose.

Persons authorized to call a meeting.

Provisos.

*And be it further Enacted by the authority aforesaid,* that for the purpose of reimbursing said proprietors the monies by them expended, or that may hereafter be expended in building and supporting said Bridge, a toll be, and is hereby granted and established for the sole benefit of said proprietors, according to the rules following, that is to say, For each foot passenger two cents; — for each person & horse six cents; for each chaise or Sulkey, drawn by one horse, ten cents; for each sley drawn by one horse six cents; for each sley drawn by two horses seven cents; for each coach, Phaeton or Curricie twenty cents; for each Cart, Waggon, Sled or other Carriage of burthen drawn by one or two beasts, seven cents; and for each additional yoke of Cattle in the same team, one cent; and for each Wheelbarrow, Hand Cart, or other Vehicle capable of carrying a like weight, with one person, three cents; for neat Cattle or Horses other than those rode on or in carriages or teams, two cents each; for Sheep and Swine at the rate of six cents the dozen; and to each team one person, & no more, shall be allowed as a driver, to pass free of toll; And at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open, and the said toll shall commence on the day of the opening said bridge for passengers, and shall continue for, and during the term of thirty years,

Toll established.

Rates of —



after which term, it shall be subject to the regulation of Government.

Dimensions of  
Bridge and  
materials.

*And be it further Enacted by the authority aforesaid,* that said Bridge shall be well built, at least thirty feet wide, of good and suitable materials, and be well covered with plank or timber suitable for such a Bridge, with sufficient rails on each side for the safety of passengers; and the same shall be kept in good, safe and passable repair; and the Proprietors at the place or places where the toll shall be received shall erect and keep constantly exposed to view, a sign or board, with the rates of toll of all the tollable articles fairly and legibly written thereon in large or capital letters.

Sign.

Place for  
building.

*And be it further Enacted by the authority aforesaid,* that the place where the Bridge shall be built, shall be from Sandy point in Portland to Secomb's point in Fal-mouth, and so constructed, as not to prevent the water flowing the flats westward of said Bridge.

Time allowed.

*And be it further enacted by the authority aforesaid,* that if the said proprietors shall neglect for the space of six years from the passing this act, to build and erect said Bridge, then this act shall be void and of no effect.

*Approved February 27, 1794.*

## 1793. — Chapter 70.

[January Session, ch. 44.]

AN ACT FOR DIVIDING AND SEPARATING THE INTEREST OR PROPRIETY IN THE LOCKS AND CANALS OPENING AND PROPOSED TO BE OPENED ON CONNECTICUT RIVER IN THE COUNTY OF HAMPSHIRE CALLED THE UPPER AND LOWER CANALS.

Preamble.

*Whereas the Proprietors of the Locks and Canals on Connecticut River in the County of Hampshire have by their Petition represented to this Court that it is expedient for the better effecting the purposes of their Incorporation that there shou[ld] be a Division of the Proprietary Interest of the Northern Canal from that of the Southern Canal on said River — and prayed for a separate Incorporation.*

Separation of  
Proprieties.

*Be it enacted by the Senate & House of Representatives in General Court assembled and by the Authority of the same* that the Propriety in the Locks & Canals between the head of the Falls at South Hadley & the mouth of Chicobee River, called the Lower Canals, be separated from the Propriety of those between the mouth of Deer-

field River & the head of Millar's Falls called the upper Canals — That the Proprietors in the said Lower Canal aforesaid remain a Corporation, in all respects in future, the same in regard thereto, as they are at present; and that the Proprietors who now are or hereafter may be in the said upper Canals by virtue of this Act shall be a separate and distinct Corporation.

*Be it enacted* that Samuel Henshaw of Northampton, Jonathan Dwight of Springfield and Benjamin Prescott of Northampton Esquires with such other members of the former Corporation, and such othe[i]r their Associates as shall join them, as hereby is after provided for making and compleating the same Locks and Canals shall be and hereby are Incorporated into a separate and distinct Corporation, by the name of the Proprietors of the upper Locks and Canals on Connecticut River in the County of Hampshire and that they the said Samuel Henshaw, Jonathan Dwight and Benjamin Prescott Esquires with their Associates and Successors Proprietors of such proposed Canals and Locks, and in such Funds Lands & Real Estate as are proposed to be raised and purchased & as shall be raised and purchased, for effecting the purpose of making and compleating the same Locks and Canals shall be a Corporation forever, under the name aforesaid, and by that name may sue and prosecute, be sued and prosecuted to final judgment and execution, may make and have a Common Seal and the same may break and alter at their pleasure, and they shall be and hereby are vested with all the powers and priviledges which by law are incident to Corporations.

Separate  
Corporation  
established.

Name.

And in order to ascertain such Associates and their Shares in the same Locks and Canals as far as may be at present.

*Be it enacted* that the whole Interest in the same Locks & Canal be divided into Five hundred & four Shares and that the said Samuel, Jonathan and Benjamin & each and every other of the Proprietors, who with them were named in the former Act and still retain their Interest therein, and the Assignees of any of those who have transferred their Interest shall have equal right with the said Samuel, Jonathan and Benjamin to hold & retain their Interest and Share in the same Locks and Canals or such proportion thereof as they shall claim to hold and carry on under the present Act; *provided* they ascertain

Division and  
number of  
shares.

The other  
Proprietors  
to retain  
interest.

Provisos.

such claim, and in what proportion they will engage to carry on the same, and that the same exceed not their former proportion or Share; *And provided also* they ascertain the same by Certificate under their hands to be lodged with the Clerk of the other Propriety or Corporation within Sixty days from the passing of this Act, the same to be delivered over to the Clerk of the present Propriety or Corporation as soon as such Clerk shall be duly chosen & qualified. *Provided also* that where any Proprietors or persons interested either by Grant or Purchase in any Shares in the said Locks and Canals, or the priviledges granted by the former act of Incorporation respecting them live without the limits of this Commonwealth, the Share Interest or priviledge of any such person in the present proposed Locks and Canals shall not be affected prejudiced or altered by this Act, but the same and all agreements touching the same, shall be and remain as if this Act had not been made.

*Be it further enacted*, that all other Shares and proportions in the same Locks & Canals not claimed, secured and reserved as aforesaid shall be open and free for any and every person of reasonable ability that may desire and subscribe for any number of such Shares, not exceeding Twenty four Shares, which such Subscriber shall be entitled to, on filing a Certificate in writing under his hand with the Clerk of said Propriety ascertaining the number of Shares he will carry on untill the whole number of Shares shall be taken up. And that every such Subscriber shall be entitled to such Shares on Subscription as aforesaid without any Premium, purchase or condition, further than contributing his proportion of expences, that have been or may be incurred respecting the same Locks and Canals.

Proprietors  
invested with  
certain powers.

*And be it further Enacted*, that the said Samuel Jonathan and Benjamin with their said Associates shall be and hereby are invested with all the rights powers and priviledges, and subjected to all the duties regulations and conditions, in regard to the upper Locks and Canals that the said Original Proprietors were invested with or subjected to, by virtue of the said original act of Incorporation and by the after Act of the General Court made in addition thereto — and that every Clause paragraph, article provision and regulation in either of the said Acts contained, shall be extended to take place, be applied, and be in full force in every respect, in regard to the present

Proprietors in the same manner they would have done to the Original Proprietors, if the same bussiness had been proceeded in and carried on by them under such former Acts.

*And be it further Enacted* that all Lands and other Real Estate which the Proprietors under this Act shall purchase which shall be necessary or convenient for executing the purpose aforesaid shall be considered as within the same Provisson with such Estate purchased for like purpose under the former Acts and shall be deemed and considered to all intents and purposes as Personal Estate, and as such with the other Interest in said Canal shall be transferrable by such mode of transfer as the said Proprietors at their meeting shall agree on and determine.

Lands purchased considered as personal estate.

*And be it further enacted*, that in all transactions of the Proprietors in their Meetings, respecting the said Locks and Canals—the Votes shall always be regulated and determined by the Interest in the following ratio, that is to say, every Proprietor holding from One Share to Three Shares inclusive shall have One Vote—from Four Shares to Six Shares inclusive shall have Two Votes—from seven to ten Shares inclusive shall have Three Votes and for every ten shares above ten, shall have one additional Vote *provided* no one Proprietor shall have more than ten Votes.

Votes, how determined.

*And be it further enacted*, that all agreements and contracts that have been heretofore made between any of the said original Proprietors or their Assigns and any other persons, respecting either or both the said Canals shall remain in full force and effect in the same manner as if this Act had not been made.

Contracts, &c. to remain valid.

*Approved February 27, 1794.*

## 1793. — Chapter 71.

[Jannary Session, ch. 45.]

AN ACT TO PREVENT THE TAKING OF THE FISH NEAR THE DAM AT THE CANAL AT SOUTH HADLEY FALLS IN CONNECTICUT RIVER.

*Be it enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same*, that no person or persons at any time hereafter shall take any Salmon or Shad within one hundred rods of any part of the Dam in Connecticut River near the Canal at South Hadley with any Net, Seine, Pott, Scoop-

Restrictions.



Forfeiture.

net, or any other instrument or machine whatever — And if any person or persons shall take or catch any Salmon or Shad contrary to the true intent & meaning of this Act, each person so offending shall for every such offence forfeit & pay a fine of Four Pounds.

Nets, seines, &amp;c. forfeited.

*And be it further enacted*, that all Nets, Seins or other Instruments or Machines used in taking Salmon or Shad as aforesaid, shall be & hereby are forfeited to any person or persons who shall prosecute for the same with costs of Suit to his or their own use, upon complaint or information to any Justice of the Peace in & for the said County of Hampshire, who may thereupon issue his warrant to seize the same to be kept until trial of the said Complaint or Information, which the said Justices are hereby fully authorized to hear & determine.

Fines, how recovered —

*And be it further Enacted*, that all sums of money forfeited by any breach of this Act shall & may be sued for & recovered by Action or Information with costs of Suit before any Justice of the Peace within the County of Hampshire, & one half of such fine shall enure to him or them who shall sue or prosecute for the same, & the other half thereof for the use of the County of Hampshire and any person or persons aggrieved at the Sentence of any Justice of the Peace given in pursuance of this Act may appeal therefrom to the next Court of General Sessions of the Peace to be holden in said County: *provided always*, that nothing in this Act shall be construed to justify the erecting or continuance of the said Dam, but the propriety of erecting & continuing the same whenever this may be called in question, shall be determined on the same principles as though this Act had never been made.

— and appropriated.

Proviso.

*Approved February 27, 1794.*

## 1793. — Chapter 72.

[January Session, ch. 48.]

AN ACT FOR ALTERING THE TIME OF HOLDING THE COURT OF COMMON PLEAS, AND GENERAL SESSIONS OF THE PEACE WITHIN, AND FOR THE COUNTY OF BRISTOL FROM THE SECOND TUESDAY OF MARCH, AND FOR ESTABLISHING AN ADDITIONAL TERM FOR HOLDING A COURT OF COMMON PLEAS IN SAID COUNTY.

*Be it Enacted by the Senate, and House of Representatives in general Court assembled, and by the authority of the same;* That the act entitled “an act for determining at what times, and places the several Courts of gen-

Places where  
Courts are to  
be held.



eral sessions of the peace, and the Courts of common pleas shall be holden within and for the several Counties within this Commonwealth, and for repealing all Laws heretofore made for that purpose," so far as it respects the holding of the Courts of common pleas, and general sessions of the peace within and for the County of Bristol on the second Tuesday of March annually be and hereby is repealed.

*And be it further Enacted*, that from and after the passing this Act, there shall be a court of common pleas and a court of general sessions of the peace holden at Taunton within and for the said County of Bristol on the third Tuesday of April, and a Court of Common pleas on the second Tuesday of December annually, in addition to the term for said Courts on the second Tuesday of September annually already provided by Law.

Time of holding Courts.

*And be it further Enacted, by the authority aforesaid*, That all appeals already made, recognizances taken, or that may before the second Tuesday of March next be made, or taken to the aforesaid Court of general sessions of the peace, and all actions commenced, and all processes returned, or that may be returnable before the said second Tuesday of March next, and all appeals claimed, or which may be claimed and all actions pending at the said Court of common pleas, which before the passing of this act, was to have been holden on the second Tuesday of March next, and all continuances to said Court from the Court of common pleas holden at said Taunton, within and for said County on the second Tuesday of September last shall be returnable to, entered, made, proceeded on, tried, and determined agreeably to the true intent of such writ, process, recognizance, appeal, or continuance at the Courts to be holden at said Taunton within and for said County, on the third Tuesday of April next.

Appeals, actions, &c. when returnable.

*Approved February 27, 1794.*

## 1793. — Chapter 73.

[January Session, ch. 47.]

AN ACT TO INCORPORATE THE PLANTATION OF FRANCISBOROUGH IN THE COUNTY OF YORK INTO A TOWN BY THE NAME OF CORNISH.

*Be it enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same*, that the following described tract of land *vizt.*

Boundaries.

beginning at a pine stump standing on the bank of Great Ossipee river at the mouth of Stoney-Pond-brook, which is the Northeasterly bound of Parsonfield, thence down said Ossipee River to the mouth of the same where it empties into Saco River, thence down Saco River to a hemlock-tree marked, being the Northwesterly boundary of Limington, thence South by the Needle three hundred & seventy six rods by Bradbury's grant, so called, being part of Limington, to a large hemlock tree being the Southwesterly corner of said grant, thence by said Limington as that is incorporated, *vizt.* South twenty five degrees West to the Northeasterly boundary of Limerick, being a beach-tree marked, thence West South West by said Limerick, as Limerick is incorporated to the Northwest boundary of said Limerick, being a horn-bine-tree marked, distance about one thousand & eighty rods, — from thence Northeasterly by Parsonfield, as Parsonfield is incorporated, to the bound first mentioned, distance about five & a half miles, containing about twelve thousand acres, together with the inhabitants thereon, be, & they hereby are incorporated into a town by the name of Cornish; & the said town is hereby invested with all the powers, privileges & immunities which other Towns in this Commonwealth do, or may enjoy by Law.

Cornish incorporated.

Thomas Parson Esq. to issue warrant.

*And be it further Enacted by the authority aforesaid,* that Thomas Parson, esquire, be, & he is hereby empowered to issue his warrant, directed to some suitable inhabitant of the said town of Cornish requiring him to warn the inhabitants thereof qualified as the Law directs to vote in town meeting to meet at some convenient time & place to choose all such officers as towns are by law required to choose in the month of March or April annually.

*Approved February 27, 1794.*

## 1793. — Chapter 74.

[January Session, ch. 46.]

AN ACT TO ESTABLISH AN ACADEMY IN THE TOWN OF PORTLAND, BY THE NAME OF PORTLAND ACADEMY, IN THE COUNTY OF CUMBERLAND, AND TO CREATE A CORPORATION OF TRUSTEES FOR THE SAME.

Preamble.

*Whereas the encouragement of Literature in the rising generation, has ever been considered by the wise and good, as the basis upon which the safety and happiness of a free*

*people ultimately depend, And whereas Samuel Freeman Esqr. & others have petitioned this Court for the establishment of an Academy in Portland in the County of Cumberland, for that purpose.*

*Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that there be, and hereby is established in the town of Portland in the County of Cumberland, an Academy by the name of Portland Academy, for the purpose of promoting the education of youth, in the English, Latin, Greek, and French languages, together with writing, arithmetic, and the art of speaking; practical geometry, logic, philosophy and geography, the knowledge and practise of virtue & the principles of a Republican Government; and such other of the liberal arts and scienc[i]es, as the trustees herein after provided shall order and direct.*

Academy  
established.

*And be it further enacted by the authority aforesaid, that the Revd. Thomas Brown, the Revd. Samuel Dean, Doctor of Divinity, Samuel Freeman Esqr. John Frothingham esqr., Mr. John Fox, William Gorham Esqr., Mr. Joseph Jewett, Revd. Elijah Kellogg, Mr. Stephen Longfellow, David Mitchel Esqr. Mr. Hugh McClellan, Joseph Noyes esqr., Robert Southgate esqr., Josiah Thacher esqr., and William Wedgery esqr. be, and they are hereby nominated and appointed trustees of the said Academy, and they are hereby incorporated into a body politic, by the name of the Trustees of Portland Academy, in the County of Cumberland, and they, and their successors shall be and continue a body politic and corporate by the same name forever.*

Names of  
Trustees.

Incorporated

*And be it further Enacted by the authority aforesaid, that the said trustees and their successors shall have one common seal, which they may break change and renew from time to time, as they shall see fit, and they may sue & be sued, in all actions real, personal and mixed, and prosecute and defend the same to final judgment and execution by the name of the Trustees of Portland Academy in the County of Cumberland; & may appoint an Agent or Agents to prosecute or defend such suits.*

Common Seal.

Corporation  
may sue and  
be sued.

*And be it further Enacted by the authority aforesaid, that the said Reverend Thomas Brown & others, the Trustees aforesaid, and their successors be, & they are hereby made the visitors, trustees and governors of the said Academy, in perpetual succession forever, to be continued*

Trustees to be  
Visitors, &c.

in the way and manner hereafter specified, with full power and authority to elect such Officers of the said Academy, as they shall judge necessary and convenient; and to make and ordain such laws, orders and rules, not repugnant to the laws of the Commonwealth for the good government of said Academy, as to them shall seem fit and requisite.

Number of  
Trustees.

*And be it further enacted by the authority aforesaid,* that the number of the trustees aforesaid, shall not at any one time be more than fifteen nor less than eight, seven of whom, at least, shall be necessary to constitute a quorum for transacting business.

Vacancies filled.

*And be it further Enacted by the authority aforesaid,* that as often as one or more of the trustees aforesaid, shall die or resign, or in the judgment of the major part of the trustees, shall be rendered incapable by age or otherwise, of discharging the duties of his office, the trustees then surviving, shall elect one or more persons to fill up the vacancy or vacancies.

Capable of  
holding estate  
to a certain  
amount.

*And be it further enacted by the authority aforesaid,* that the trustees aforesaid, and their successors be, and they hereby are rendered capable in law to take and hold by gift, grant devise, bequest or otherwise, any lands, tenements, or other estate real or personal, *provided* that the annual income of the said real estate, shall not exceed the sum of five hundred pounds, and the annual income of the said personal estate, shall not exceed the sum of two thousand pounds. And all deeds & instruments, which the said trustees may lawfully make, shall be sealed with their seal, and shall bind the said trustees & their successors, and be valid in law.

Samuel  
Freeman Esq.  
impowered.

*And be it further Enacted* that Samuel Freeman esqr. be, and he hereby is authorized and impowered to appoint the time and place for holding the first meeting of said trustees, and notify them thereof.

*Approved February 27, 1794.*

## 1793. — Chapter 75.

[January Session, ch. 49.]

AN ACT IN ADDITION TO THE ACT, FOR THE LIMITATION OF PERSONAL ACTIONS, AND FOR AVOIDING SUITS AT LAW; PASSED THE THIRTEENTH DAY OF FEBRUARY, ONE THOUSAND SEVEN HUNDRED AND EIGHTY SEVEN.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of*



*the same*, that any action of the case, or of debt grounded upon any lending or contract, or for arrearages of rent actually declared upon in a proper Writ, returnable according to law, purchased therefor before the first day of December last, or which has been, or which shall be so actually declared in, within the term of six years next after the cause of such action accrued, shall be deemed and taken to be duly commenced and sued within the meaning of said act for the limitation of personal actions, and for avoiding suits at law.

Actions of the case, &c. how commenced.

*And be it further Enacted*, that any action which hath been, or which shall be actually declared in as aforesaid, & in which the Writ purchased therefor, has failed of a sufficient service or return, by any unavoidable accident, or by the default, negligence or defect of any Officer to whom such Writ was or shall be duly directed, or when such writ shall be abated, or the action thereby commenced shall be avoided by demurrer, or otherwise, for informality of proceedings, then, and in any such case the plaintiffs or plaintiff, or his or her executor or administrator may commence another action upon the same demand, and shall thereby save the limitation thereof, any thing in the said act for the limitation of personal actions, and for avoiding suits at law, to the contrary notwithstanding: *provided* that such second action shall be duly commenced by declaring in the same aforesaid, and pursued at the next Court of Common pleas of the County, in which trial of the cause may be had, or within three months next after the Court, whereto such former Writ was, or shall be returnable, or wherein Judgment of abatement, or other avoidance of such suit shall happen, and not afterwards.

Actions.

Proviso.

*And be it further enacted* that any action of the case, or of debt, grounded upon any lending or contract, or for arrearage of rent, which might have been, or which may be sued and prosecuted by, or against any person deceased, or who shall decease, at the time of his or her death, or within thirty days next preceeding, shall and may be commenced by declaring in the same as aforesaid, and sued by, or against the Executor or Administrator of such deceased person, within two years after the grant of letters testamentary or of administration, and not afterwards, if otherwise barred by the said Act, for the limitation of personal actions, & for avoiding suits at law, any

Action &c. in case of a person deceased.



thing which may be supposed therein to the contrary notwithstanding.

Action for debt  
on simple con-  
tract.

*And be it further enacted*, that in any action brought, or which shall be brought, for any debt upon simple contract or promise in writing, not under seal, the defendant therein may give in evidence upon the ge[r][n]eral issue, his or her demands against the plaintiff, for goods delivered, monies paid, or services done, whereof an account shall be duly filed in the Clerk's office of the Court whereto such action is, or shall be brought, seven days, and before a Justice four days at least, preceding the time of trial. And in all cases of mutual demands as aforesaid, the account of the Defendant, if any time of limitation shall be objected thereto by the plaintiff, shall be considered and allowed, as if an action had been duly commenced thereon, by declaring in the same, at the time when the plaintiff's action was, or shall be commenced, any law, usage or custom to the contrary notwithstanding.

*Approved February 27, 1794.*

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RESOLVES  
OF  
MASSACHUSETTS.

1793.

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RESOLVES

OF THE

GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUFFOLK*,  
ON WEDNESDAY THE TWENTY-NINTH DAY OF  
*MAY*, ANNO DOMINI, 1793.

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BOSTON :  
PRINTED AT THE STATE-PRESS, BY ADAMS & LARKIN,  
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M,DCC,XCIII.

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# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

TOGETHER WITH THE SPEECHES, &c. OF HIS EXCEL-  
LENCY THE GOVERNOR, TO THE SAID COURT;

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUF-  
FOLK*, ON WEDNESDAY THE TWENTY-NINTH DAY OF  
*MAY*, ANNO DOMINI, 1793.

His Excellency JOHN HANCOCK, Esq.

Governor.

His Honor SAMUEL ADAMS, Esq.

Lieutenant-Governor.

### COUNCELLORS.

Honorable Azor Orne,  
Moses Gill,  
Thomas Durfee,  
Eleazer Brooks,  
Oliver Wendell, Es-  
quires.

Honorable Edward Cutts,  
James Warren,  
William Shepard,  
Ebenezer Thayer, jun.  
Esquires.

*The following are the Names of the Gentlemen who compose the two  
Branches of the GENERAL COURT, viz.*

### SENATORS.

Hon. SAMUEL PHILLIPS, Esq. President.

*County of SUFFOLK.*

*County of ESSEX.*

Hon. William Heath,  
Stephen Metcalf,  
Thomas Dawes,  
Benjamin Austin, jun.  
Oliver Wendell,  
James Bowdoin, Esquires.

Hon. Azor Orne,  
Samuel Phillips,  
Stephen Choate,  
Theop. Bradbury,  
Daniel Thurston,  
Nathan Dane, Esquires.

## RESOLVES, 1793. — MAY SESSION.

*SENATORS — Concluded.*

<i>County of MIDDLESEX.</i>	<i>Counties of DUKES-COUNTY and NANTUCKET.</i>
Hon. Eleazer Brooks, Ebenezer Bridge, Joseph Hosmer, Joseph B. Varnum, Daniel Whitney, Esquires.	Hon. William Jernigan, Esquire.
<i>County of HAMPSHIRE.</i>	<i>County of YORK.</i>
Hon. John Hastings, Samuel Fowler, Simeon Strong, William Shepard, Es- quires.	Hon. Nathaniel Wells, Simon Frye, Esquires.
<i>County of PLYMOUTH.</i>	<i>County of CUMBERLAND.</i>
Hon. Isaac Thompson, Josiah Smith, Daniel Howard, Esquires	Hon. Josiah Thatcher, Esquire.
<i>County of BRISTOL.</i>	<i>County of WORCESTER.</i>
Hon. Thomas Durfee, Elisha May, George Leonard, Esquires.	Hon. Moses Gill, Samuel Baker, Jonathan Warner, Timothy Newell, Josiah Stearns, Esquires.
<i>County of BARNSTABLE.</i>	<i>Counties of LINCOLN, HANCOCK and WASHINGTON.</i>
Hon Solomon Freeman, Es- quire.	Hon. Alexander Campbell, Es- quire
	<i>County of BERKSHIRE.</i>
	Hon. Elijah Dwight, Thompson J. Skinner, Es- quires.

*MEMBERS OF THE HOUSE OF REPRESENTATIVES.*

EDWARD HUTCHINSON ROBBINS, Esq. Speaker.

*County of SUFFOLK.*

<i>BOSTON,</i>	{ William Tudor, Esq. Charles Jarvis, Esq. Jonathan Mason, Esq. John Coffin Jones, Esq. William Eustis, Esq. Joseph Blake, Esq Thomas Edwards, Esq.	<i>Dedham,</i> Mr. Nathaniel Kings- bury, <i>Medfield &amp; Dover,</i> Capt. John Baxter, <i>Stoughton,</i> Hon. Elijah Dunbar, Esq. <i>Sharon,</i> Mr. Joseph Hewins, <i>Medway,</i> Mr. Moses Richardson, jun. <i>Walpole,</i> Mr. Oliver Clap, <i>Wrentham,</i> Mr. Nathan Com- stock, <i>Franklin,</i> Mr. Hezekiah Fisher, <i>Randolph,</i> Samuel Bass, Esq. <i>Needham,</i> Col. Jonathan Kings- bury,
<i>Roxbury,</i> John Read, Esq. Mr Eben Seaver <i>Dorchester,</i> Mr. John Howe, <i>Milton,</i> Edward H. Robbins, Esq. <i>Braintree,</i> Hon. Ebenezer Thayer, jun. Esq. <i>Hingham,</i> Col Charles Cush- ing,		

REPRESENTATIVES — *Continued.**County of ESSEX.*

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	<i>Boxford</i> , Thomas Perley, jun. Esq.

*County of MIDDLESEX.*

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<i>Woburn</i> , Samuel Thomson, Esq.	<i>Waltham</i> , Mr. Abner Sanderson,
<i>Concord</i> , Jonathan Fay, Esq.	<i>Stow &amp; Boxborough</i> , Mr. Charles Whitman,
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<i>West Springfield</i> , Justin Ely, Esq.	<i>Worthington</i> , Mr. Jonathan Brewster,
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	<i>Greenwich</i> , James Fiske, Esq.

## REPRESENTATIVES — Continued.

## County of HAMPSHIRE — Concluded.

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<i>Bernardston &amp; Leyden</i> , Mr. Caleb Alvard,	<i>Cummington &amp; Plainfield</i> , Capt. James Richards.
	<i>Blanford</i> , Mr. Reuben Boies,

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<i>Middleborough</i> , Mr. Nehemiah Bennett,	

## County of BARNSTABLE.

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<i>Sandwich</i> , Joseph Nye, Esq.	<i>Harwich</i> , Mr. John Dillingham.
<i>Yarmouth</i> , Atherton Hall, Esq.	

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	<i>Somerset</i> , Hon. Jerathmeel Bow-ers,

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<i>Wells</i> , John Storer, Esq.	<i>Lebanon</i> , Mr. Thos. M. Wentworth
<i>Berwick</i> , Mr. Richard Foxwell Cutts,	<i>Fryeburg</i> , Hon. Simon Frye, Esq.
<i>Arundell</i> , Capt. Jacob Wilds,	
<i>Biddeford</i> , Col. Joseph Morrill	

## County of DUKES COUNTY.

<i>Edgarton</i> , Hon. Wm. Jernagan, Esq.	<i>Tisbury</i> , Mr. Benjamin Allen.
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## County of NANTUCKET.

*Sherburne*, Mr. Micajah Coffin.

## County of WORCESTER.

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<i>Brookfield</i> , Thomas Hale, jun. Esq.	<i>New Braintree</i> , Major Artemas How,
<i>Charlton</i> , Gen. Salem Towne,	

REPRESENTATIVES — *Concluded.**County of WORCESTER* — *Concluded.*

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Daniel Davis, Esq.	jun.
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<i>Falmouth</i> , Joseph Noyes, Esq.	<i>New Gloucester</i> , William Wedgery, Esq.
<i>North Yarmouth</i> , Mr. William Martin,	<i>Freeport</i> , John Cushing, Esq.
<i>Scarborough</i> , Wm. Thomson	

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<i>Winthrop &amp; Readfield</i> , Mr Samuel Wood,	<i>Bristol</i> , Thomas Johnston, Esq.
<i>Pownalboro'</i> , Mr. Silas Lee,	<i>Hallowell</i> , Mr. Nathaniel Dummer,
<i>Thomaston</i> , Capt. Josiah Reed.	<i>Newcastle</i> , Major John Farley.
<i>Topsham</i> , Hon. Samuel Thomson,	<i>Bowdoin</i> , Capt. James Rogers,
<i>Georgetown</i> , Mr. Jordan Parker	<i>Winslow</i> , Mr. Benjamin Runnells.

*County of HANCOCK.**Penobscot*, Isaac Parker, Esq.*County of WASHINGTON.**Machias*, Phineas Bruce, Esq.*County of BERKSHIRE.*

<i>Sheffield &amp; Mount Washington</i> , { Mr. John Hubbard.	<i>Lenox</i> , Mr. Elijah Gates.
<i>Great Barrington</i> , Hon. Elijah Dwight, Esq.	<i>Stockbridge</i> , Hon. John Bacon, Esq.
<i>New Marlborough</i> , Obadiah Ward, Esq.	<i>Egremont</i> , Mr. Nicholas Chace.
<i>Williamstown</i> , Major William Young.	<i>Sandisfield</i> , Mr. John Picket.
<i>Lanesborough &amp; New Ashford</i> , { Gideon Wheeler, Esq.	<i>Windsor</i> , Joshua Beals, Esq.
<i>Pittsfield</i> , { Capt Daniel Hubbard	<i>Richmond</i> , Nathaniel Bishop, Esq.
{ Timothy Childs, Esq.	<i>West Stockbridge</i> , Thomas Lusk, Esq.
	<i>Adams</i> , Israel Jones, Esq.
	<i>Cheshire</i> , Capt. Daniel Brown.



### Chapter 1.

#### RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF WESTBOROUGH.

On the petition of the Selectmen of the Town of Westborough praying for the confirmation of several assessments made for the support of the gospel minister of said town on a vote & contract without the money so assessed being particularly granted as the law directs.

*Resolved* for reasons set forth in said petition that the assessments heretofore made in said town of Westborough to the support of the gospel minister of said town pursuant to a vote & contract of said town without a particular grant of the money so assessed be & hereby is confirmed & made valid in the same way & manner as if the sum so assessed had been granted by said town any law to the contrary notwithstanding.

*June 5, 1793.*

### Chapter 2.

#### RESOLVE ON THE PETITION OF BENJAMIN PARKER, RICHARD CUTTS AND RICHARD ROGERS.

On the petition of Benjamin Parker, Richard Cutts and Richard Rogers Committee in behalf of the first Parish in the Town of Kittery praying that Nicholas Weeks Constable of said Town may be Authorized and empowered to Collect the Taxes Committed him to Collect by the Assessors of said Parish in the Year 1788, 1789 and 1790.

*Resolved* for Reasons set forth in said petition that the said Nicholas Weeks be, and hereby is Authorized and empowered to Collect the Taxes Committed him to Collect by the Assessors of said Parish in the year 1788, 1789 and 1790 and pay the same into the Treasury of said Parish agreeably to the Warrants given him by the Assessors of said Parish in the same way and manner as if he had been appointed Collector particularly for said Parish any law to the Contrary notwithstanding.

*June 5, 1793.*

### Chapter 3.

#### RESOLVE FOR GRANTING A TAX OF £.600 FOR THE COUNTY OF ESSEX.

Upon the application of the Justices of the Court of General Sessions of the Peace holden at Ipswich within

and for the County of Essex on the first tuesday of April last.

*Resolved*, that the sum of six hundred pounds, be granted and allowed as a tax for the said County of Essex, to be apportioned and raised within the same, that Sum being necessary, according to the Estimate of the said Justices, for the purpose of erecting a new Court-House at Ipswich in said County, which was agreed upon, and ordered by the said Justices, at the same Court.

*June 5, 1793.*

#### Chapter 4.

##### RESOLVE ON THE PETITION OF MARCY GODFREY.

On the petition of Marcy Godfrey wido. of Solomon Godfrey late of Chatham dec[e]ased, praying that her father Seth Crowel may be impowered to sell the real estate of her late husband deced. and to lay out the monies arising by such sale for other real estate, for the benefit of the heirs of said deceased.

*Resolved*, that the prayer of said Petition be Granted and that the said Seth Crowel, be and hereby is Authorized & impowred to sell the real estate of the said Solomon Godfrey, for the most the same will fetch, either at public or private sale, as shall appear to be most for the interest of all concerned in such sale; and to make and execute a good and lawful deed or deeds to the purchasor or purchasors thereof—*provided however*, that previous to said sale he the said Seth Crowel shall take the oath required by law respecting the sale of Real Estate and Give bonds to the Judge of probate for the County of Barnstable with sufficient sureties conditioned that he will well and truly lay out the proceeds of such sale in purchasing other real estate for the benefit of the Heirs of said deceased, which real estate when purchased (and a good and lawful deed or deeds taken of the same in favour of said heirs) shall descend to the wido. and heirs of said decd. in the same way and manner as it would have done if the said Solomon Godfrey had died seized of the same. *June 5, 1793.*

#### Chapter 5.

##### RESOLVE ON THE PETITION OF WILLIAM DODDS.

On the petition of William Dodds of Princetown in the County of Worcester, one of the Coroners for said

County, shewing that he has been sworn & given bond to the Treasurer of said County for the due execution of his said Office, which he now finds is not conformable to law, & praying that he may now be allowed to give bond in manner agreeable to law.

*Resolved* for reasons set forth in said petition that the prayer thereof be granted, & that the said William Dodds is hereby permitted to give bonds for the due execution of his said office at the next Court of Common pleas to be holden at Worcester within & for the County of Worcester on the second tuesday of June instant in the form & manner prescribed by law & that the doings of the said William Dodds as a Coroner shall be considered as good & valid as they would have been had he given bond within the time by law required.

*June 5, 1793.*

### Chapter 6.

#### RESOLVE ON THE PETITION OF JOSIAH MIXER.

On the petition of Josiah Mixer praying for the authentication of a State Note to him issued from the treasurer of this Commonwealth Dated March first one thousand seven hundred & Eighty three for the sum of Eight pound fifteen shillings & ten pence Not withstanding the treasurer[er] Omitted signing said Note.

*Resolved* That the treasurer of this Commonwealth be and he is hereby Directed to certify on said Note that it is a good Note and Obligatory on this Commonwealth Not with standing said Omission.

*June 6, 1793.*

### Chapter 7.

#### RESOLVE FOR APPOINTING AN ADDITIONAL NOTARY PUBLIC FOR THE COUNTY OF SUFFOLK, TO BE RESIDENT IN THE TOWN OF BOSTON.

On the representation of many principal Merchants and others of the Town of Boston, that another Notary-Public is necessary there.

*Resolved*, that one Notary-Public shall be appointed within the County of Suffolk to be resident within the Town of Boston, in addition to the Notaries-Public which are by law to be appointed within that Town.

*June 6, 1793.*

**Chapter 8.**

RESOLVE ON THE PETITION OF ELIJAH BRIGHAM, IN BEHALF  
OF THE TOWN OF WESTBOROUGH.

On the petition of Elijah Brigham in behalf of the Town of Westborough, praying that a mistake of the courts Committee on Accounts at the last session of the General Court on Roll No. 26, may be rectified, where the Sum of Eleven Pounds Nineteen Shillings and two pence, which was allowed by said Committee to the Town of Westborough for the support of John Scudmore, was on Said Roll placed to the Credit of the Town of Westtown.

*Resolved* for Reasons set forth in said Petition that the prayer thereof be Granted and that the Treasurer of this Commonwealth be and hereby is directed to pay the afore-said sum of Eleven Pounds Nineteen Shillings and two pence to the Town of Westborough & expunge on said Roll, Westtown, and insert Westborough — any Law or Resolve to the Contrary notwithstanding. *June 6, 1793.*

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**Chapter 9.**

RESOLVE ON THE PETITION OF SAMUEL FALES.

On the Petition of Samuel Fales Esqr. Collector of Excise for the County of Bristol praying the Treasurer of this Commonwealth may be authorized to credit him in the Settlement of his Account for the Sum of Thirty four pounds three Shillings & ten pence being a part of One hundred & fifty pounds stolen from his Office in the year of Our Lord One thousand seven hundred & eighty five & which never has been recovered — & the further Sum of Nine pounds ten shillings & six pence by him expended in apprehending the Convict.

*Resolved* that the aforesaid Sums Amounting to forty three pounds fourteen shillings & two pence be allowed to said Saml. Fales Esqr. & the Treasurer is hereby authorized & directed to place the same to the Credit of his account. *June 6, 1793.*

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**Chapter 10.**

RESOLVE FOR CHOOSING AN ADDITIONAL NOTARY PUBLIC FOR  
THE TOWN OF PLYMOUTH.

*Resolved*, That for the better accommodation of the Town of Plymouth and its Vicinity, there be chosen in

the present Session an additional Notary-Public for the County of Plymouth to be resident in said Town.

*June 6, 1793.*

### Chapter 11.

#### RESOLVE ON THE PETITION OF ABIJAH FROST.

On the Petition of Abijah Frost, a Soldier in the last French war, who, at the Reduction of Canada in the year 1760, lost his right arm, and has since that time received a pension of only Twelve pounds ten shillings per annum for his support, praying for an additional allowance.

*Resolved* that the Said Abijah Frost be allowed and paid out of the Treasury of this Commonwealth, Five pounds ten Shillings, in addition to the above Sum of Twelve pound ten Shillings, annually, commencing the fifth day of April A D 1792, untill the further order of the general Court, and the governor with advice of Council, is hereby requested to Issue his warrant on the Treasurer for the payment of the Same.

*June 7, 1793.*

### Chapter 12.

#### RESOLVE ON THE PETITION OF JOEL DICKINSON.

On the Petition of Joel Dickinson, praying, for reasons set forth in his petition, that the balance of two Taxes committed to him to collect for the Year 1780, amounting to upwards of five thousand pounds in old Continental Bills, may be remited to him, or that he may be permitted to pay the same in specie at the present value of the said Bills.

*Resolved*, that the prayer of his petition be so far granted, that the Treasurer be, and he is hereby authorized and directed to discharge the said Joel from the balance of the said Taxes, *Provided* he shall pay into the Treasury, in specie, by the first day of February next, the balance aforesaid, at the rate of one in specie, for one hundred in the said Bills.

*June 7, 1793.*

### Chapter 13.

#### RESOLVE ON THE PETITION OF BENJAMIN SMITH, SHERIFF OF THE COUNTY OF DUKES COUNTY, ALLOWING HIM £.2 11 4 FOR HIS ATTENDANCE, AND £.9 0 8 FOR THE WITNESSES.

On the petition of Benjamin Smith Sheriff of the County of Dukes County in behalf of himself and twenty four



witnesses who attended the Hon. Solomon Freeman & Walter Spooner Esqrs. a Committee appointed by the General Court to take depositions in the behalf of the Commonwealth.

*Resolved* that there be allowed & paid out of the Treasury of the Commonwealth to the sd. Benja. Smith two pounds Eleven Shillings & four pence for his attendance and Services & nine pounds & eight pence for the sd. Witnesses he the sd. Smith to be accountable to each the Said Witnesses for their travel & attendance for the purpose aforesaid.

*June 6, 1793.*

### Chapter 14.

RESOLVE ON THE PETITION OF SAMUEL FOSTER, ALLOWING HIM ADDITIONAL PAY.

On the petition of Samuel Foster, praying that a further Allowance may be made him for Sundry Services perform'd by him in the Treasurer's Office.

Whereas it appears that the said Samuel Foster, by his steady and faithfull attention, was very serviceable to the public in Expediteing the bussiness in the Treasurer's Office and that the Compensation he has received was not adequate to the Services by him performed :

*Resolved* that there be Allowed and paid out of the Treasury of this Commonwealth to the said Samuel Foster, one Shilling  $\phi$  day in addition to the pay he has already received, from the tenth day of June 1787 to the tenth of June 1792, Amounting to the Sum of Seventy five pounds.

*June 7, 1793.*

### Chapter 15.

RESOLVE ON THE PETITION OF JACOB WILDS.

On the petition of Jacob Wilds, stating that he, and Thomas Wiswall, purchased of Government, some years ago, a tract of land in the County of York, containing one hundred and eight Acres and a half, part of the confiscated Estate of Sr. William Pepperell, with warranty; that, having purchased said Wiswalls part, he sold the whole to Thomas Perkins with warranty; that said Perkins has sued the sd. Wilds, in an action of Covenant broken, to the Court of Common pleas to be holden at Waterborough in the County of York on the fourth Tuesday of August next, suggesting that the premises were

under an incumbrance at the time when the same were sold by Government; and praying for the interposition of the legislature.

*Resolved* that the Attorney General be and he hereby is directed to enquire into the premises, and whether there was any incumbranc[e], and of what nature, upon the premises, when sold by Government; & (if any) whether the same can be removed and in what manner so as to secure the title of the land to the said Perkins; and to make report to the General Court at their next sessions.

And the said Attorney General is further directed by himself, or such other person as he shall think proper to appoint, to defend said Action at law, at the expence of the Common wealth, to final Judgment. *June 7, 1793.*

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### Chapter 16.

RESOLVE ON THE PETITION OF THE SELECTMEN OF BRUNSWICK.

On the Petition of the Select Men of Brunswick.

*Resolved* for reasons set forth in ye sd. Petition, that the prayer thereof be granted, and that there be paid & allow'd by the Treasurer of the Commonwealth to the Selectmen of Brunswick, the Sum of One Pound Eighteen Shillings, being the amount according to the Scale of depreciation of the annexed accots. for the Taxes which the Land was sold to discharge, and the further sum of four pounds six shillings & seven pence, for silver money paid to Gatchell for Taxes he paid; making together Six pounds four shillings & seven pence, and also a further sum of Five pounds eight shillings being the sum the selectmen paid for John Mahana making in the whole Eleven pounds twelve shillings and seven pence.

*June 7, 1793.*

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### Chapter 17.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF PLYMOUTH, AND GRANTING A TAX.

Whereas the Treasurer of the County of Plymouth, has laid his Accounts before the General-Court in manner by Law prescribed, which Accounts are hereby allowed :

And whereas the Clerk of the General Sessions of the Peace for the said County has laid before the General

Court an estimate made by the said Court of General Sessions of the Peace of the necessary charges, likely to arise within the said County, the current year amounting to Four hundred pounds :

*Resolved* that the Sum of three hundred pounds be and hereby is granted as a tax for said County of Plymouth, to be apportioned assessed, collected and applied in manner agreeable to Law.

*June 8, 1793.*

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### Chapter 18.

#### RESOLVE ON THE PETITION OF MATHEW MAYHEW.

On the petition of Mathew Mayhew Guardian to Abel Abel Indian praying for liberty to sell real Estate.

*Resolved* that the said Mathew Mayhew be and he hereby is Authorized and impowered to sell at publick Auction so much of said Abels real Estate as shall discharge said Abels debts & that the said Mathew Mayhew shall observe all the rules & regulation[s] Prescribed by Law to be observed by Executors — Administrators & Guardians in the sail of said Estate and he is hereby ordered to render an Account of his proceedings herein to the Judge of Probate in Dukes County who is Authorized to make him reasonable Allowance for his Services.

*June 11, 1793.*

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### Chapter 19.

#### RESOLVE ON THE PETITION OF CAPT. PETER PORTER.

On the petition of Peter Porter praying for an Allowance for himself and others for Services performed in the Western Army in the Year 1778.

*Resolved* that the Honourable the Council are hereby empower'd, to Examine the pay Roll, exibited by the said Peter Porter, and make such Allowance to the Officers and Soldiers borne thereon, as Shall appear to be justly due to them, for the months of September & October 1778 in the same way and manner that the pay Roll of Capt. Daniel Pomroys Company was settled which was Employ'd in the same service and at the same time ; And his Excellency the Govenour is requested to Isue his Warrant on the Treasurer for the same.

*June 11, 1793.*

**Chapter 19A.\***

ORDER ON THE PETITION OF SAMUEL THURSTON.

On the petition of Saml. Thurston.

*Ordered* — That the Petitioner notify the Town of Lancaster by leaving an attested Copy of his Petition with this Order thereon with the Town Clerk of said town Thirty Days at least before the second Wednesday of the next Session of the General Court, then to appear & Shew Cause if any they have why the prayer of the Petitioner should not be granted.

*June 12, 1793.***Chapter 20.**RESOLVE ON THE PETITION OF NATHAN DANE, GRANTING HIM  
£.24 0 1.

On the Petition of Nathan Dane praying for the allowance of a sum of Money paid by him to Wm. Story junr. for his assistance as a Clerk in examining & stating the claims of this Commonwealth against the United States amounting in the whole to the sum of twenty four pounds & one penny according to the Account annexed to the said Petition.

*Resolved*, That there be allowed & paid out of the Treasury of this Commonwealth to the said Nathan Dane the sum of twenty four pounds and one penny in full of the said Account.

*June 13, 1793.***Chapter 21.**

RESOLVE ON THE PETITION OF JOHN COOPER, ESQ.

On the Petition of John Cooper Adjutant of the 1st Regt. in the 2d. Brigade & Eig[h]th Division of the Militia of this Commonwealth.

*Resolved* for reasons set forth in said Petition, That the prayer thereof be so far granted, that the petitioner have leave to lay his Acct. before the Committee on Accts. for Examination & allowance who are hereby authorized to allow so much thereof as shall appear to them to be reasonable & just, it being for services performed previous to 1792, notwithstanding.

*June 13, 1793.*

\* Not printed in previous editions.

**Chapter 22.**

RESOLVE RESPECTING THE PAYMENT OF UNCLAIMED BALANCES DUE TO DECEASED OFFICERS AND SOLDIERS, &c.

Whereas sundry balances for pay and depreciation of pay have been made up and in the army books at the Treasury passed to the credit of officers and Soldiers of this State's line of the late Continental army many of whom are deceased—and it appears that many frauds have been practised in purchasing and obtaining payment of these balances and especially those belonging to the Representatives of deceased officers & soldiers: Therefore

*Resolved* that no balance so made up or any part thereof and passed to the credit of any deceased officer or soldier shall hereafter be paid to any person until he shall produce to the General Court the last will and testament of the officer or soldier whose balance shall be claimed duly proved; or a letter of administration granted according to law with a certificate from the Judge of probate that the officer or soldier deceased intestate hath left legal representatives or *bona fide* creditors entitled to receive the same balance by the laws of this State—and no assignment of, or power to receive any such balance shall be considered to make the claimant a creditor entitled to administration by the laws of this State, but the Assignee or Attorney may be considered as a Creditor in the distribution of the Estate to the amount of the sum or consideration given or paid by him on account of the same, and the Secretary is directed to transmit a Copy of this Resolve, to the several Judges of Probate within this Commonwealth.

*June 14, 1793.*

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**Chapter 23.**

RESOLVE ON THE PETITION OF RUBEN BROWN AND STEPHEN BARRETT.

On the Petition of Ruben Brown and Stephen Barrett both of Concord in the County of Middlesex setting forth that they were Bail for one William Baker who was under Indictment for a fraud before the Supreme Judicial Court holden at Concord in said County in April last.

*Resolved* that the prayer thereof be so far Granted that they have leave to produce the Body of the said William



Baker in discharge of said Recognizance at the next Supreme Judicial Court to be holden in said County they paying all such legal costs as shall have arisen since the forfeiture of the same and in the mean Time no writ of *scire facias* shall Issue against the said Brown & Barrett.

June 14, 1793.

### Chapter 24.

RESOLVE ON THE PETITION OF JONATHAN BRUCE.

On the Petition of Jonathan Bruce and others praying for relief relative to the Settlement of the Accounts of Caleb Molton, Administrator *de bonis non*, with the Will annexed, of the Estate of Joseph Beal late of East-Sudbury in the County of Middlesex Deceas'd, which have been Settled by the Jud[*g*]e of Probate of the County of Middlesex for reasons set forth in the Said Petition.

*Resolved*, that the Judge of Probate for the County of Middlesex, be, and he hereby is impowered, to Re-examine the several Administration Accounts of the said Caleb Molton, against the Estate of the said Joseph Beal, which have been Settled in the Probate Court of the Said County, first giving Notice to the Petitioners & the Said Molton of the time & place of such Re-examination; and the same Proceedings may be had thereon, as though the said Accounts had not been Previously Examined & allowed.

June 14, 1793.

### Chapter 25.

RESOLVE ON THE PETITION OF WILLIAM HEATH, JUN.

On the Petition of William Heath Jr. and others, the Said William Administrator *de bonis Non* On the estate of Joshua Spooner late of Brookfield deceased.

*Resolved* for reasons set forth in Said petition that the said William in his Said Capacity be and he hereby is impowered to sell at public Vendue all the real Estate within the Towne of Middleborough in the County of Plymouth of which the said Joshua Spooner died Seized, and to make and execute a Deed or Deeds thereof to the Purchesor or Purchesers which Deed or Deeds Shall be Good and sufficient in Law to Convey the Same in Fee. *Provided however* that previous to such Sale or Sales the Said Administrator, Shall take the Oath by Law provided, and

give Security in manner as the Law requires in Case of Sales of real Estate by Executors and Administrators, and Shall also Notify the intended Sale of the said Real Estate to be Sold as aforesaid by advertising the Same, in the Boston Independent Chronicle, for three weeks Successively, and posting up Notifications, in two or more public Places within the Town of Middleborough aforesaid, at least thirty days before the Time of Sale.

*June 14, 1793.*

### Chapter 26.

#### PLAN AND CONFIRMATION OF TWO TOWNSHIPS GRANTED TO PORTLAND SUFFERERS.

Whereas Enoch Ilsley and others have caused two townships of land a plan whereof is hereto annexd to be laid out in satisfaction of a grant made to them and other sufferers by the burning of Falmouth now Portland in the County of Cumberland by the Enemy in the year 1775 by a resolve of the General Court passed March 9th 1791. and whereas a Committee appointed by the Major part of said Sufferers & sworn agreeable to said Resolve have apportioned the lands contained in said two townships among said sufferers as by their report under their hands & seals hereto also annexed: Therefore

*Resolved* that said Plan and reports be accepted and lodged in the Secretary's office, and that the said two townships as described in said plan & Report, with the reservations and under the Conditions mentioned in said Resolve except the settlers lots thereon laid down be and they hereby are confirmed to the several persons named in said Report in fee in the several shares & proportions therein mentioned. And that The said Proprietors of said townships be and they hereby are authorised at any proprietors meeting or Meetings called and holden agreeable to law, by vote or votes to manage settle divide, or grant sell & convey said townships or either of them in fee with the Reservations and under the Conditions aforesd. & except as aforesd. or they may at any such Meeting authorise & empower any Committee to sell & convey said townships or either of them under the reservations & Conditions, & with the exceptions aforesd. if they judge it for their Interest so to do; and to make execute & acknowledge any proper deed or deeds for conveyance

thereof in fee ; and the neat proceeds of such sale or sales, after all reasonable expences, and demands upon said proprietors are first paid & deducted shall be divided & paid to & among them according to their several & respective shares and Interest therein, as aforesaid. *Further resolved* that said Proprietors or their Assigns shall have five years allowed them from this time to settle Families in said Townships agreeable to said Resolve any thing therein to the Contrary Notwithstanding.

*June 17, 1793.*

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### Chapter 27.

RESOLVE ON PETITION OF THE TOWN OF DARTMOUTH.

On the petition of the town of Dartmouth. *Resolved* for reasons therein set forth that the prayer thereof be so far granted, that the treasurer of this Commonwealth be and he hereby is directed to delay issuing his execution against the town of Dartmouth for any deficiency of taxes which have been committed to Christopher Almy or Benjn. Howland to collect untill the expiration of two years from the passing of this resolve. *June 18, 1793.*

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### Chapter 28.

RESOLVE EMPOWERING THE SECRETARY AND THE CLERKS OF BOTH HOUSES TO CONTRACT FOR THE PRINTING BUSINESS FOR THE YEAR ENSUING.

*Resolved* that John Avery Jun. Samuel Cooper & Henry Warren Esqrs. be & hereby are appointed with full power and authority to contract for the printing business of this Commonwealth the year ensuing, not to exceed the terms given the last year. *June 18, 1793.*

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### Chapter 29.

RESOLVE ON THE PETITION OF DR. ELIPHALET DOWNER.

On the Petition of Eliphalet Downer, praying that the Legislature would interpose in his Favor, that he might be compensated for his sufferings and services in the late war with Great Britain.

*Resolved*, that the Said Eliphalet Downer ought to have been compensated and provided for, in the Same manner,

in which, Other Persons, of the same rank, in the Service of the united States, were, compensated and provided for by Government; that he ought to have been placed on the Pensioner's List; and that his not being so placed, was Occasioned by Incidents, which he could not prevent, and not by his Fault, or Neglect; but that it is not within the Department of this Government, but within the proper Jurisdiction of the Congress of the united States, to Grant Relief, in such Case as is Stated and Set forth in the Petition.

*June 18, 1793.*

### Chapter 30.

#### RESOLVE ON THE PETITION OF THE TOWN OF TISBURY.

On the Petition of the Town of Tisbury and in consideration of their Sufferings in the late War Especially by the descent of [of] the Enemy-upon the Island of Marthas Vineyard in Dukes County in the year of our Lord 1777 by which great losses were Sustained by the Inhabitants in particular the loss of about Eleven Thousand Sheep and three hundred head of Horned Cattle in which the Town of Tisbury were one third the Sufferers.

*Resolved* that the Sum of thirty nine pounds fifteen Shillings and ten pence being the ballance unpaid of a Tax of seven hundred and fourteen pounds sixteen Shillings & three pence assesed upon that Town in the year 1777 Shall be, and hereby is Remitted and Abated to Said Town, and the Treasurer is to credit and discharge the Said Town accordingly.

*June 19. 1793.*

### Chapter 31.

#### RESOLVE ON THE PETITION OF LUKE BEMIS AND ISAAC BEMIS.

On the Petition of Luke Bemis and Isaac Bemis, representing their great sufferings in the loss of their Stock and Paper Mills by Fire, and in consideration of the Public advantages to be derived from the encouragement of the Manufacture of Paper within this Commonwealth.

*Resolved.* That there be loaned from the Treasury of this Commonwealth the sum of One thousand pounds to the said Luke Bemis and Isaac Bemis, upon their Bond with good and sufficient collateral security to this Commonwealth for the repayment of the same sum at the end

of five years; and also to be conditioned that the said Luke and Isaac shall rebuild or cause to be rebuilt within two years from the making of such loan, suitable Paper-Mills of at least equal site and extent of the Mills lately destroyed by fire, and by themselves or their Assigns shall prosecute the manufacture of Paper therein.

*June 19, 1793.*

### Chapter 32.

#### RESOLVE ON THE PETITION OF BENJAMIN SHEPARD.

On the Petition of Benjamin Shepard praying for the Aid of Government in Order to Assist him in carrying on the Manufacture of Cotton Goods, in the Town of Wrentham.

*Resolved* for reasons set forth in his Petition that he receive out of the public Treasury, on Loan, the sum of three hundred pounds, He giving Bonds to the Treasurer of this Commonwealth with good & sufficient sureties, that the same be applied to ye purpose as above express'd & no other, and also that the same be replaced in three different Installments, without Interest—The first Payment of one hundred pounds to be made in three years from the Time he receives the money, and the same sum be paid annually after till the whole be discharged.

*June 20, 1793.*

### Chapter 32A.\*

#### ORDER ON THE PETITION OF JUSTIN ELY, ESQR.

On the petition of Justin Ely esqr. in behalf of the inhabitants of West Springfield.

*Ordered* that the petitioners notify the inhabitants of the town of Springfield by serving the Clerk thereof with an attested copy of the said petition, & this order thereon, at least thirty days before the second Wednesday of the next sitting of the General Court, that they may appear, on the said day, and shew cause, if any they have, why the prayer of the said petition should not be granted.

*June 20, 1793.*

\* Not printed in previous editions. Taken from court record.



## Chapter 33.

RESOLVE GRANTING THE LIEUTENANT GOVERNOR, SECRETARY AND TREASURER PAY FOR SERVICES TO THE 1st JUNE, 1794.

*Resolved* that for one year from the last Wednesday of May last, the sum of one hundred and sixty pounds, shall be the pay of the Lieutenant Governor and a proportionable sum for a less time in full for his services as Lieutenant Governor, to be paid out of the Treasury of this Commonwealth, in quarterly payments as the same shall become due.

*Resolved* that there be allowed and paid out of the Treasury of this Commonwealth to John Avery jun. Esqr. Secretary of this Commonwealth the sum of two hundred and four pounds ten shillings & eight pence which with one hundred & twenty pounds nine shillings and four pence he has received in fees to the 31st of May last shall be in full for his services as Secretary aforesaid from the first day of June 1793 to the first day of June 1794 and is at the rate of Three hundred and twenty five pounds per annum to be paid in quarterly payments as the same shall become due.

*Resolved* that from the first day of June current there be allowed and paid out of the public Treasury the sum of three hundred and fifty pounds for the pay of the Treasurer for one year and a proportionable sum for a less time in full for his services as Treasurer, the present year, to be paid in quarterly payments as the same shall become due.

*June 20, 1793.*

## Chapter 33A.\*

ORDER ON THE PETITION OF JOHN GARDNER AND OTHERS.

On the petition of John Gardner of the west Parish in the town of Pownalboro', and of James Lithgow & Ann his wife of the same place praying to be set off with their estates from the said West parish, and annexed to the Episcopal Church in Pittston, which was lately incorporated by the name of the Episcopalian Church in Pittston, for the purposes of religious worship.

*Ordered* that the petitioners notify the inhabitants of the west parish in the town of Pownalboro', by leaving an attested copy of their said petition, and of this order

\* Not printed in previous editions. Taken from the court record.

thereon, with the parish Clerk of the said west parish sixty days before the third Wednesday of the next session of the General Court, that the inhabitants of the same parish may then appear and shew cause if any they have, why the prayer of said petition should not be granted.

*June 20, 1793.*

### Chapter 34.

RESOLVE ON THE PETITION OF EBENEZER STORER.

On the Petition of Ebenezer Storer, Praying for a further Compensation for his Services as a Pay Master for the Second and twelfth Regiments of the late Continental Army.

*Resolved* for Reasons Set forth in Said Petition that there be allowed and paid out of the Treasury of this Commonwealth to the Said Ebenezer Storer the Sum of Eighty Pounds Lawful Money which with the Sum of one hundred and twenty Pounds heretofore Received by the Said Petitioner shall be considered as a full Compensation for his Service.

*June 21, 1793.*

### Chapter 35.

RESOLVE DIRECTING THE TREASURER TO OMIT, UNTIL THE NEXT SITTING OF THE GENERAL COURT, SENDING HIS EXECUTIONS AGAINST THE INHABITANTS OF THE TOWN OF WESTFIELD.

*Resolved* that the Tre[a]surer of this Commonwealth be & he is hereby directed to Omit, (until the Next Session of the Genl. Court) Sending any Execution Against the Inhabitants of the Town of Westfield for the Taxes in which Reuben Williams Collector of Taxes in sd. Town for the year 1780, is deficient.

*June 21, 1793.*

### Chapter 36.

RESOLVE GRANTING A TAX TO THE COUNTY OF BERKSHIRE.

Whereas it appears by the Representation of the Court of General Sessions of the Peace for the County of Berkshire made on the third Tuesday of April *Anno Domini* 1793, that the sum of Eight hundred pounds is necessary for discharging the debts and defraying the charges of the said County the current year: Therefore,

*Resolved*, that there be and hereby is granted a Tax of Eight hundred pounds to be apportioned and assessed on

the Polls and Estates lying and being within the said County, which shall be applied as follows, viz. Six hundred Eighty one pounds fifteen shillings and three pence thereof, for the purpose of discharging the debts due from the said County; and the remaining sum of One hundred and Eighteen pounds four shillings and nine pence, for the use of said County, according to the Laws of this Commonwealth, to defray the necessary charges thereof the current Year.

*June 21, 1793.*

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### Chapter 37.

RESOLVE ON THE PETITION OF SAMUEL FREEMAN, ESQ.

Whereas it appears to this Court by the Petition of Samuel Freeman and others that a Resolve of the General Court pass'd the 21st day of June A D 1785 confirming the original Grants of the Townships No. One-Four-Five and Six East of Union River in the Counties of Hancock and Washington, on certain conditions therein mentioned, is found ineffectual for the purposes for which it was intended:

Therefore *Resolved* That the said Resolve of the 21st June 1785 so far as it respect[s] the said Townships No. Four Five and Six be and it is hereby declared null and void.

And be it further *Resolved*, That the said Townships No. Four Five and Six be sold under the direction of the Committee for the Sale of Eastern Lands for the Benefit of the Commonwealth and of the Proprietors of said Townships respectively — the proceeds of said Sale to be divided as follows, viz. One Third part thereof shall be applied to the Use of the Commonwealth, and two thirds to the use of the Proprietors of said Townships No. four five and six respectively — And the said Committee, with such agent as the said Proprietors respectively at a meeting duly warned shall appoint for the purpose shall be and hereby are empowered to make and execute a Deed or Deeds thereof to the purchaser or purchasers. *Provided nevertheless* that The Committee aforesaid together with said Proprietors respectively, may if they agree thereto cause a Division of the Lands in said Township to be made in such manner as they shall see fit in the proportion aforesaid that is to say, to set off one third of said Townships respectively to the use and benefit of the Com-

monwealth and two thirds to the use and benefit of the Proprietors of said Townships respectively, having respect to quality and quantity — *Provided also* that there shall be allowed and assigned to Alexander Campbell Esqr in Township No. four three hundred acres — to Joseph Wallis in Township No. five three hundred acres — and to each of the other Settlers in the said Townships No. four five and six, who settled thereon before the 20th day of January one thousand seven hundred and eighty three his Heirs or Assigns a Lot of One hundred Acres of land and to every Settler of the foregoing description who was also a Proprietor shall be allowed two lots each of one hundred acres and every lot shall be laid out so as to include the improvements made thereon by the Settler to whom it shall be laid out — the said Settlers severally paying for the Benefit of Government — and of the Proprietors of said Township respectively in the proportion aforesaid, the Sum of Thirty shillings for each and every hundred acres so assigned them — and that there shall also be allowed and assigned to such Persons as may have settled in either of said Townships since the said 20th day of January one thousand seven hundred and eighty three Lots of one hundred acres of Land each — so as to include their respective improvements — they severally paying for the use and benefit of the Commonwealth, and of the Proprietors of said Townships No. four five and six respectively, in the proportion aforesaid, the Sum of Three Pounds for each and every hundred acres so allowed them — And where any of the Lotts to be assigned to the Settlers as aforesaid, shall not include the whole of the Improvements by them made in the upland of said Townships respectively, there shall be such further quantity of Land assigned them, as shall be sufficient to include such improvements they severally paying therefor to the use of said Commonwealth and of said Proprietors respectively the Sum of three shillings  $\varnothing$  Acre for every Acre that may be assigned them over and above the specified quantity respectively assigned them as aforesaid — *And provided also* that each of said Settlers shall have and enjoy a share of the marsh in the Townships where they are respectively settled, in proportion to the Lands set off to them as aforesaid.

And the Proprietors of said Townships respectively may demand of the present Possessors of Lands settled

upon as aforesaid, possession of such Lands, on their refusing to pay the Sums required by this Resolve, as a condition for quieting them in such possessions.

*And it is further Resolved* — That the Acts and Proceedings of the Proprietors of the said Townships No. four five and six respectively by them heretofore legally made, shall be and hereby are established and confirmed, *provided* the same shall not counteract the intention of this Resolve. And the said Proprietors respectively may continue to call meetings, & pass any Vote or Votes as such in the same manner they might have done if this Resolve had not been passed *provided* such Vote or Votes shall not militate therewith.

*And be it further Resolved*, that the said Proprietors respectively, shall be holden to pay all Just debts & sums of Money from them due & owing to any person or persons whatsoever, and particularly shall pay to Sarah Shaw Executrix of the last Will & Testament of Francis Shaw Esqr. Deceased, the sum of Three hundred & Twenty seven pounds ten shillings & Six pence, within Eighteen Months, from the passing of this Resolve, with the Interest thereof, being their proportional part of the expence of a Survey of the said Townships of No. one, four, five & six made by the late Company of Gould & Shaw.

*June 21, 1793.*

### Chapter 38.

RESOLVE ESTABLISHING THE PAY OF THE COUNCIL, SENATE AND HOUSE OF REPRESENTATIVES, AND GRANTING ADDITIONAL PAY TO THE PRESIDENT AND SPEAKER.

*Resolved* that there be allowed & paid out of the public Treasury of this Commonwealth to each member of the Council, Senate & House of Representatives nine shillings per day for each day's attendance the present session, and a like sum for every ten miles travel from their respective places of abode to the place of the sitting of the General Court.

And it is further *Resolved* that there be paid to the President of the Senate & the Speaker of the House of Representatives six shillings per day each, for each day's attendance over & above their pay as members.

*June 21, 1793.*



## Chapter 38A.\*

ORDER ON THE PETITION OF CHRISTOPHER COLSON AND OTHERS.

On the petition of Christopher Colson and others of Hawley in the County of Hampshire, praying to be set off from said town, and annexed to the town of Plainfield.

*Ordered* that the said petitioners notify the said town of Hawley by leaving an attested copy of their said petition, and this order thereon, with the Clerk of said town, thirty days at least before the second Thursday of the next session of the General Court, that they may appear on said day and shew cause, if any they have, why the prayer of said petition should not be granted.

*June 21, 1793.*

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Chapter 39.

RESOLVE ON THE PETITION OF THOMAS COOK.

On the Petition of Thomas Cook praying that he may be relieved from a Warrant of Distress issued against him in Favor of the Commonwealth.

*Resolved* that the Sheriff of the County of Dukes-County be, and he hereby is ordered and directed to receive of the Said Thomas Cook, a Bond, in a Sufficient Sum, payable to the Treasurer of the Commonwealth, conditioned for the Payment of the whole Sum due on the Same Warrant within one year, and on the Petitioner's delivering such Bond to the Sheriff aforesaid, he, the said Sheriff is impowered and directed to return the same Warrant Satisfied. And in Case the Same Warrant be already returned unsatisfied, the Attorney General, on the Petitioners Executing and delivering to him such Bond as aforesaid, is hereby impowered and directed in Behalf of the Commonwealth, to discharge the Judgment whereon Said Warrant issued ; and the same Bond whether received by the said Sheriff or Attorney General, shall be filed by him who shall so receive the same in the said Treasurer's Office.

*June 21, 1793.*

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\* Not printed in previous editions. Taken from court record.

**Chapter 40.**

RESOLVE ON THE PETITION OF DANIEL BROWN, JABEZ VAUGHN, AND OTHERS.

*Resolved*, that there [be] allowed and paid out of the Treasury of this Commonwealth to Daniel Brown the Sum of Seventy five Pounds, Lawful Money for one hundred and twenty five Acres of Land — To Peter Harrington the Sum of nine Pounds twelve Shillings for Sixteen Acres of Land to William Dougless the Sum of one hundred and Eighty one Pounds four shillings for three hundred and two Acres of Land to be Credited on the Bond of Asa Dougless & Samuel Brown due to this Commonwealth Said Credit to bear Date October 30th 1787. To the Heirs of Calvin Hammond the Sum of fifteen Pounds for twenty five Acres of Land — to Wait Palmer the Sum of Sixteen Pounds four Shillings for twenty Seven Acres To John Bordman the Sum of forty one pounds Eleaven Shillings & Eleaven pence for Sixty nine Acres & fifty two Rods To Ebenezer Joles the Sum of Forty Pounds Six Shillings & Six pence for Sixty Eight Acres and one hundred and forty Rods — To Jabez Vaughn the Sum of forty five pounds thirteen Shillings for Seventy Six Acres and fourteen Rods — & that Interest be allowed on the several sums beforenamed from the 30th of October 1787, which sums with the Interest aforesaid shall be in full Compensation for the Afore Said Lands cut off by Running the Line between this State and the State of New York.

*June 21, 1793.*

**Chapter 41.**

RESOLVE ON THE PETITION OF MOSES COOK, GRANTING HIM £.14 3 4, FOR THE TOWN OF AMHERST.

On the Petition of Moses Cook Junr., in Behalf of the Town of Amherst, praying that the Treasurer be directed to pay to said Town, the sum of fourteen Pounds, three Shillings, and four Pence for which Sum the said Treasurer was directed, by a Resolve of the General Court, passed the twenty third Day of February 1784, to Credit the said Town, but which credit the Treasurer certifies does not appear to have been given.

*Resolved*, that there be allowed & paid out of the Treasury of this Commonwealth, the said Sum of fourteen

Pounds, three shillings, and four Pence, to the said Town of Amherst, in full Satisfaction for the Said Sum directed to be Credited by the Resolve aforesaid. *June 21, 1793.*

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### Chapter 42.

RESOLVE ON THE PETITION OF THEODORE MUSSEY, OF STANDISH.

On the Petition of Theodore Mussey of Standish praying to be liberated from the Goal in the County of Cumberland.

*Resolv'd* That the Sheriff of the sd. County of Cumberland be & hereby is directed forthwith to discharge sd. Theodore Mussey from sd. Goal & Return the Execution upon which he was comitted into the Office of the Treasurer of this Comonwealth not satisfied. *June 21, 1793.*

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### Chapter 42A.\*

ORDER ON THE PETITION OF THE TOWN OF NEEDHAM.

On the petition of the Committee of the town of Needham, praying liberty for the sale of certain lands situate in said Needham, and appropriated to the public use of the ministry in said town.

*Ordered*, that the petitioners cause an attested copy of the foregoing petition and of this order thereon, to be published three weeks successively, in the Boston Independent Chronicle, the last publication to be at least twenty days before the second Wednesday of the next setting of the General Court, that all persons concerned may then appear and shew cause, if any they have, why the prayer of said petition should not be granted.

*June 21, 1793.*

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### Chapter 43.

RESOLVE ON THE PETITION OF ISRAEL JONES, IN BEHALF OF THE TOWN OF ADAMS.

On the Petition of Israel Jones in behalf of the Town of Adams, praying that the Treasurer of the Common Wealth may be directed to Discharge said Town from sundry Taxes Committed to one Oliver Parker to Collect as set forth in said petition.

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\* Not printed in previous editions. Taken from court record.

*Resolved* for reasons set forth in said petition, that the prayer thereof be granted and the Treasurer of said Commonwealth is hereby directed to Credit said Town of Adams in the sum of six hundred and forty three pounds.

*June 21, 1793.*

### Chapter 44.

#### RESOLVE ON THE PETITION OF WILLIAM RICE.

On the petition of William Rice in behalf of the Inhabitants of the Town of Sudbury, praying that Execution, for a deficiency of one Man required of them by a Resolve of March 7th 1782, may be staid.

*Resolved* for Reasons set forth in said Petition, that the prayer thereof be granted and that the Treasurer be, & he hereby is directed to stay Execution against said Inhabitants as aforesaid for eighteen months from the passing this resolve.

*June 21, 1793.*

### Chapter 45.

#### RESOLVE ON THE PETITION OF EDWARD BARNES.

On the Petition of Edward Barnes in behalf of the Inhabitants of the Town of Marlborough setting forth that said Town stands charged on the Treasurers Books the Sum of Seventy four pounds one Shilling & eight pence for not raising a man agreeable to a Resolve passed March the 8th, 1782. And it appearing that the Said Town did raise all the men agreeable to the Resolve aforesaid, therefore

*Resolved*, for reasons aforesaid, that the prayer of Said Petition be granted & that the Said Town of Marlborough be and hereby are discharged from the Sum of Seventy four pounds one Shilling & eight pence aforesaid, and the Treasurer is hereby impowered & directed to credit, on his Books, the Said Town, the aforesaid Sum of Seventy four pounds one Shilling & eight pence. *June 21, 1793.*

### Chapter 46.

#### RESOLVE ON THE PETITIONS OF WILLIAM VAUGHAN AND THOMAS ROBISON AND THEIR ASSOCIATES.

On the Petitions of William Vaughan & Thomas Robison, & their Associates, Praying for Liberty to Build

Bridges at different Places over fore River from Portland to Cape Elizabeth.

*Resolved* that John Cushing, William Wedgery & Josiah Fairfield Esqrs. be a Committee to View the different places at which the said Petitioners have prayed for leave to build Said Bridges and Report to this Court on the Second Wednesday of their next Session the most Suitable Place for Erecting a Bridge, that will best Serve the Publick & be least Injurious to Individuals, as It's agreed by the Petitioners that one Bridge will be Sufficient — Said Committee to be paid by William Vaughan & his Associates.

*June 22, 1793.*

### Chapter 47.

#### RESOLVE ON THE PETITION OF SAMUEL GILBERT.

On the Petition of Samuel Gilbert Surgeons mate in the late Continental Army in the Regiment Commanded by Colo. Ichabod Alden.

*Resolved* that John Deming Esqr. Committee for methodizing public account be and he hereby is directed to Certify to the Governor and Council the pay or arrears of pay due to Samuel Gilbert for his Service as a Surgeons mate in Colo. Ichabod Alden's Regiment in the Late Continental Army and the Treasurer on receiving a warrant therefor is directed to Issue his note or notes, in the same way and manner as has been practised in paying other Soldiers.

*June 22, 1793.*

### Chapter 48.

#### RESOLVE ON THE PETITION OF MICHAEL METCALF.

On the Petition of Michael Metcalf and others Setting forth that an Act of the General Court made and passed in the year of our Lord one thousand Seven hundred and Seventy Eight, for incorporating the westerly part of the Town of Needham in the County of Suffolk into a Separate Corporation by the Name of the West precinct in Needham, among other things did provide, "that if any of the Inhabitants of the said Town, who shall fall on Either Side of the aforesaid Line, should Choose to belong to, and be a Part of the Precinct on the other Side of Said Line, and should within twelve months, from passing the same Act, give their Names into the Secre-



tary's Office, they with their Estates should be recorded as part of the Parish they Should so choose, and Should do Duty and receive privilege accordingly." and whereas the Said Michael Metcalf and others according to the Provision of Said Act, did give their Names into the Secretary's office, but, by misfortune, and not by any Fault or Neglect of the Persons interested, the Paper to which their Names were Subscribed, is lost or mislaid, and no Record containing the Same, is to be found in the said Office :

*Resolved* that the Secretary of the Commonwealth be, and he is hereby Authorised, to receive into his Office and record the Copy of the Said Subscription paper containing the names given in to the Secretary as aforesaid, which Copy is proved by the Oaths of Michael Metcalf and Nathaniel Fisher, and the Same Copy shall be considered as original and shall have the same Force and Effect, which the original Paper would or ought to have had in Case the Same had been preserved and Recorded and the Persons, whose Names were so given in to the Secretary, as aforesaid shall do duty and receive Privileges accordingly.

*June 22, 1793.*

### Chapter 49.

RESOLVE ON THE PETITION OF JOHN BACON, IN BEHALF OF  
ORRINGH STODDARD, ISAAC MARSH AND OTHERS.

On the Petition of John Bacon, in behalf of Orringh Stoddard, Isaac Marsh and Others praying that they may be allowed for their Services in the Support of Governmt. in the year 1786.

*Resolved* that the Govenour with the advice of Council be and is hereby requested to issue his Warrant on the Treasury for the payment of the several Persons on the Role of the Said Oringh Stoddard and Isaac Marsh & others the Sums set against their respective Names amounting in the whole to the Sum of fourteen pounds one shillings & ten pence.

*June 22, 1793*

### Chapter 50.

RESOLVE GRANTING A TAX OF £.400 TO THE COUNTY OF CUM-  
BERLAND.

Whereas the Clerk of the Court of General sessions of the peace for the County of Cumberland, has laid be-

fore the General Court an estimate made by the said Court of General sessions of the peace of the necessary charges likely to arise within the said County the current year, amounting to the sum of four hundred pounds :

*Resolved* that the said sum of four hundred pounds be and is hereby granted as a tax for said County of Cumberland, to be apportioned assessed collected and applied agreeable to law.

*resolved* that the Treasurer of the said County be, and he hereby is directed to lay his accounts of the last years expenditures before the General Court at their next session in manner as the law directs for examination and allowance.

*June 22, 1793.*

### Chapter 50A.\*

#### ORDER RELATIVE TO THE PAYMENT OF THE PUBLIC DEBT.

Whereas the preservation of public credit, & the justice due to individuals both require that, effectual measures be taken for the punctual payment of the interest upon the debt of this Commonwealth :

*Ordered* that the General Court will at an early period of the next Session of the General Court take into consideration the subject of the public debt of this Commonwealth, in order to provide suitable and permanent funds for the punctual payment of the interest thereon, and for the gradual discharge of the principal thereof; and that the Treasurer of this Commonwealth devise such ways and means for the payment of the several species of debt of this Commonwealth, at regular and stated periods and [and] for the gradual sinking of the principal thereof, as shall best comport with the ability of the Commonwealth to discharge, and that he report on the first Tuesday of the next session of the General Court.

*June 22, 1793.*

### Chapter 51.

#### RESOLVE GRANTING AN EXTRA PAY TO THE COMMITTEE OF THE GENERAL COURT APPOINTED TO EXAMINE AND PASS UPON ACCOUNTS.

*Resolved* that there be allowed & paid out of the public Treasury of this Commonwealth, in the same manner as the Members of the General Court are paid for their Travel & Attendance the present Session, to the Com-

\* Not printed in previous editions. Taken from court record.

mittee appointed to examine & pass on public Accounts, for their Service on said Committee, the following Sums in Addition to their pay as Members of the Legislature. *Viz.* to the honble. Joseph Hosmer Esqr. for Nineteen days Attendance, the sum of one pound eight shillings & six pence To ye Honble. Stepn. Metcalf Esqr. for Nineteen days attendance the sum of one pound eight shillings & six pence To Saml. Flagg for nineteen Days Attendance the sum of one pound eight shillings & six pence To John Saunders Jr. for nineteen days Attendance the Sum of one pound eight shillings & six pence & To Joseph Tucker for Nineteen Days Attendance the Sum of one pound eight shillings & six pence which Sums shall be in full for their Services as aforesaid.

*June 22, 1793.*

### Chapter 52.

RESOLVE GRANTING TO RICHARD DEVENS, ESQ. £.75, IN FULL FOR HIS SERVICES IN CLOSING THE OFFICE OF COMMISSARY GENERAL.

On the petition of Richard Devens praying compensation for one years service in closing the Office of Commissary General.

*Resolved*, That there be allowed, & paid out of the Treasury of this Commonwealth to Richard Devens Esqr. the sum of seventy five pounds in full for his services in closing the Office of Commissary General.

*June 22, 1793.*

### Chapter 52A.\*

ORDER ON THE PETITION OF JOHN COLLAR AND OTHERS.

On the petition of John Collar and others, inhabitants of the town of New Marlboro' praying for a division thereof into two distinct towns.

*Ordered* that the petitioners notify the inhabitants of the said town of New Marlborough, by leaving with the Clerk of the same town, an attested copy of the said petition and of this order thereon at least sixty days previous to the third Wednesday of the next sitting of the General Court, then to appear and shew cause if any they have, why the prayer of the said petition should not be granted.

*June 22, 1793.*

\* Not printed in previous editions. Taken from court record.

**Chapter 53.**

RESOLVE ON THE PETITION OF THOMAS ADAMS.

On the petition of Thos. Adams printer to the General Court, setting forth the losses which he has sustain'd in executing the printing Business of the Commonwealth a number of years past, from the want of prompt payment of his demands, & other Causes.

*Resolved* That in consideration of the delay of payment aforesaid, & of the very low terms on which the said Adams has executed the printing business of the Commonwealth a number of years past, there be allowed, & paid to him out of the Treasury of this Commonwealth the sum of three hundred pounds, which shall be in full of all compensations & demands for the work aforesaid, previous to the month of January one thousand, seven hundred & ninety two.

*June 22, 1793*

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**Chapter 54.**

RESOLVE GRANTING TO WILLIAM SALISBURY £.240.

On the petition of William Salisbury praying for Compensation for his services as Issuing Commissary & Barrack-Master on Castle-Island.

*Resolved*, for Reasons set forth in said petition, that there be allowed & paid out of the Treasury of said Commonwealth, to the said William Salisbury the sum of two hundred & forty pounds — in full for his services as aforesaid, and His Exelency the Governor with the advice of Council is hereby requested to draw his warrant on the Treasurer for the sum aforesaid.

*June 22, 1793.*

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**Chapter 55.**

RESOLVE GRANTING £.600 TO AMASA DAVIS, ESQ. QUARTER MASTER GENERAL.

On the representation of Amasa Davis Esqr. Quarter Master General.

*Resolved*, That their be paid out of the Treasury of this Commonwealth the Sum of Six hundred pounds to Amasa Davis Esqr. Quarter Master General for the purpose of “Supplying the Garrison on Castle Island with wood Oil &c. for lamps, Wood for Rainsfords Island — Repairs for

the Castle, & Rainsfords Islands Boats, Repairs to the Artillery and to replace two hundred pounds paid Josias Nottage for building a wharf on Rainsfords Island" for which he has recieved no warrant, he to be accountable for the expenditure of the same. *June 22, 1793.*

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### Chapter 56.

RESOLVE GRANTING £.30 TO JACOB KUHN, TO PROVIDE FUEL, &c.

*Resolved*, That there be allowed & paid out of the Treasury of this Commonwealth, to Jacob Kuhn Messenger of the General Court, the sum of Thirty Pounds, to enable him to purchase fuel &c. for the use of said Court, he to be accountable for the expenditure of the same. *June 22, 1793.*

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### Chapter 57.

RESOLVE GRANTING TO THOMAS GREENE £.3 2.

On the Petition of Thomas Greene for reasons Set forth in the Petition. *Resolved* that there be Allowed & paid out of the Treasury of this Commonwealth to the Said Thomas Greene three pounds two shillings, in full for his Services with the Committee of valuation.

*June 22, 1793.*

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### Chapter 58.

RESOLVE ON THE PETITION OF WILLIAM DRAPER.

On the Petition of William Draper the only Surviving heir of Richard Draper deceased—a private Soldier in Colo. Bigelows Regiment praying that he may receive the wages due to the said Richard Draper.

*Resolved* that John Deming Esqr. Certify to the Governor and Council in Favour of the lawfull heirs of the said Richard Draper the pay or arrears of Pay due to the said Richard Draper for his said Services as a private Soldier in Colo. Bigelow's Regiment and the Treasurer on Receiving a Warrant is hereby directed to Issue his note or notes to the said William Draper for the Services of the said Richard Draper in the same way and manner as has been Practised in paying other Soldiers.

*June 22, 1793.*



**Chapter 59.**

RESOLVE GRANTING ADDITIONAL PAY TO THE CLERKS IN THE SECRETARY AND TREASURER'S OFFICES AND TO THE MESSENGER OF THE GOVERNOR AND COUNCIL.

*Resolved* that there be allowed and paid out of the Treasury of this Commonwealth to Each of the Clerks in the Secretary's and Treasurers offices and the Messenger of the [of the] Governor and Council one Shilling per Day from the thirtieth day of May Last in addition to pay already Established, to Continue till the first Sessions of the next General Court.

June 22, 1793.

**Chapter 60.**

RESOLVE GRANTING REV. EMERSON FOSTER, £.9 12.

On the Petition of the Reverend Emerson Foster Representing that he Served as Chaplain in the troops of the Commonwealth Stationed at Springfield in the winter of the year one thousand Seven hundred and Eighty Seven for which Service he has not Recd. Compensation.

*Resolved* that there be Allowed & paid out of ye Treasury of this Commonwealth to the Said Emerson Foster nine pounds twelve shillings for twenty four Days Service as Chaplain to Colo. Burts Regiment of Militia in the winter of the year 1787 who were employed in the Service of the Commonwealth By order of the Commander in Chief.

June 22, 1793.

**Chapter 61.**

RESOLVE ON THE PETITION OF ELIJAH KELLOGG.

On the Petition of Elijah Kellogg a Drum majr. in Colo. Marshalls Rigiment Praying that he may receive the wages due to him for his said Service. *Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or Arrears of pay due to the said Elijah Kellogg for his Service as a Drum Major in Colo. Marshalls Regiment and the Treasurer on Receiving a warrant therefor is directed to Issue his note or notes to the said Elijah Kellogg in the same way as has been Practiced in paying other Soldiers.

June 22, 1793.

**Chapter 61A.\***

ORDER ON THE PETITION OF ICHABOD BECKWITH AND OTHERS.

On the petition of Ichabod Beckwith and others, living in the towns of Springfield, Ludlow, Wilbraham and Palmer, setting forth that by reason of certain Mill-dams, and other obstructions across the river Chicopee they are wholly deprived of the benefit of the fish called Salmon & Shad.

*Ordered* that Ichabod Beckwith serve the proprietors of Mill-dams in the towns of Springfield, Ludlow, Wilbraham and Palmer, with an attested copy of their petition and of this order thereon at least twenty days preceeding the second Wednesday of the next sitting of the General Court, that they may then appear & shew cause, if any they have, why the prayer of said petition should not be granted.

*June 22, 1793.*

**Chapter 62.**

RESOLVE ON THE PETITION OF JOHN BARBER.

On the Petition of John Barber Administrator on the Estate of Nathaniel Barber deceased Praying that he may receive the wages due to the said Nathaniel Barber.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to Nathaniel Barber a Sarjeant in Colo. Marshalls Regiment in the Late Continental Army and the Treasr. on receiving a warrant therefor is hereby Directed to Issue his note or notes to the said John Barber in the same way as has been Practiced in paying Other Soldiers.

*June 22, 1793.*

**Chapter 63.**

RESOLVE ON THE PETITION OF NATHANIEL KELLOGG.

On the Petition of Nathaniel Kellogg, Praying that he may be Authorized to make Sale of the Real Estate belonging to his Children who are Minors and only Heirs of Hannah his late Wife and to make any Partition thereof that may be necessary for the Reasons set forth therein.

*Resolved* that the Prayer of Said Petition be so far granted as that the Petitioner be authorized to make Sale

\* Not printed in previous editions. Taken from court record.

of the whole or such part of the Real Estate belonging to Said Minors at Publick or Private Sale as he shall Judge most for their Benefit and Execute any Sufficient Deeds and Conveyances thereof, the Proceeds of Such Sale or Sales to be put on Interest for the Benefit of said Minors and paid them in equal Shares at their full Age or Marriage whichever shall first happen, and that said Petitioner be fully Authorized to make any Division or Partition of Said Real Estate in behalf of Said Minors with the other Co-heirs of Waitstill Hastings and Abigail his Wife Father & Mother of said Hannah Deceased as may be for the Benefit of said Heirs — *Provided* that the Petitioner give bond with Sufficient Sureties to the Judge of Probate for the County of Berkshire in double the Value of Said Real Estate to observe the Rules and Directions of the Law which respects the Sales of the Real Estates of Minors by Guardians and Administrators faithfully to Discharge the Trust Reposed in him and Apply the Proceeds of Such Sale or Sales of Said Real Estate for the use and Benefit of Said Minors and Account to the Judge of Probate for the time being therefor whenever thereto Required and to Said Minors Respectively when of full Age.

*June 22, 1793.*

### Chapter 64.

#### RESOLVE ON THE PETITION OF SAMUEL DANFORTH.

On the petition of Samuel Danforth of Boston in the County of Suffolk Physician Guardian of Mary Ann Symmes of sd. Boston, a Minor, praying for reasons set forth in sd. petition for leave to Sell & Dispose of all the sd. Minor's Right Title & Interest in & to two houses & in & to the lands thereto belonging situated in sd. Boston & which are described in sd. Petition.

*Resolved* that the prayer of the sd. Samuel Danforth's petition be so far granted that He be & he hereby is fully Authorized & Empower'd to Sell & Dispose of, by Publick Auction, — the house & Land thereto belonging first mentioned in his sd. petition & Bounded as follows *Viz.* Northwesterly on Back-Street Northeasterly on Bear Lane Southeasterly on land now or late of Thomas Greenough Esqr. & South westerly on land of John Baker deceas'd or however otherwise bounded, for the most they will fetch in money & to Make & Execute in his sd. Capacity legal & sufficient deed or deeds thereof in fee simple to the Purchaser or Purchasers of the same. He the

sd. Danforth first giving Bond with sufficient Surety or Sureties to the Judge of Probate for the County of Suffolk to account for the proceeds of such sale & to perform those things which the Law requires of Executors & Administrators to enable them to sell the Real Estates of their Testators or Intestates.

*Resolv'd*, That the Mode of perpetuating the evidence that Notice was given of the sale of sd. House & Land shall be by Affidavit thereof taken before the Probate Court for the County of Suffolk as is required by law of Guardians who are licensed to sell real estate by the Supreme Court.

*June 22, 1793.*

### Chapter 65.

RESOLVE GRANTING £.1000 TO THE SELECTMEN OF THE TOWN OF BOSTON.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to the Selectmen of the Town of Boston One Thousand Pounds for & towards the maintenance of the poor of this Commonwealth, they to be accountable for the same on the adjustment & settlement of their Accounts therefor.

*June 22, 1793.*

### Chapter 65A.\*

ORDER ON THE PETITION OF THE INHABITANTS OF THE FIRST PARISH IN THE TOWN OF STOUGHTON

On the petition of the inhabitants of the first Parish in the town of Stoughton, praying to be incorporated into a separate town.

*Ordered* that the said petitioners notify the said town of Stoughton by leaving an attested copy of their said petition and this order thereon, with the town Clerk of said town, thirty days at least before the second Tuesday of the next session of the General Court, that they may appear on said day, and shew cause, if any they have, why the prayer of said petition should not be granted.

*June 22, 1793.*

### Chapter 66.

RESOLVE ON THE PETITION OF SARAH PACKARD.

On the Petition of Sarah Packard Praying that she may be empowered to make sale of about Twenty Two Acres

\* Not printed in previous editions. Taken from court record.

of land in Bridgwater in the County of Plymouth, the Property of her son, Josiah Edson Packard, a minor for whom she is Guardian.

*Resolved* for reasons set forth in Said Petition, that the Prayer thereof be granted, and that the said Sarah Packard be, and she hereby is Authorised and empowered to make Sale of said Twenty Two Acres of land for the most it will fetch, either at Public or private sale, and to make and execute a good and Sufficient deed or deeds of the same, to the purchaser or purchasers thereof — *Provided however*, that Previous to said Sale, she shall take the Oath required by law respecting the same, and give bonds to the Judge of Probate for the county of Plymouth with Sufficient Sureties, Conditioned, that she will well and Truly pay to the said Josiah Edson Packard, when he arrives to the Age of Twenty One years, or to his Legal representative on demand, the whole amount of the proceeds of said Sale, with the interest thereon, to be computed from the time of said Sale. *June 22, 1793.*

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### Chapter 67.

#### RESOLVE ON THE PETITION OF ELISHA BAKER.

On the Petition of Elisha Baker Collector of the Town of Williamstown praying for abatement of Taxes. for reasons set forth in the said Petition

*Resolved*, that the Treasurer of this Commonwealth, be, and he hereby is Authorised and Directed to receive of Elisha Baker Collector of the Town of Williamstown — Seven Shillings in Specie, on the pound, for one hundred and forty pounds due from him on No. five Tax, payable in Army Notes and Indents, and thereupon to give him a discharge for the sum abovementioned, *Provided* the Same Shall be paid into the Treasury on or before the first Day of Novr. next. *June 22, 1793.*

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### Chapter 68.

#### RESOLVE ON THE PETITION OF SAMUEL WHITTEN.

On the petition of Samuel Whitten, stating that he is called upon by the Treasurer of the Commonwealth for the balance of a Tax Delivered him to Collect in the year 1778, which he has paid into the treasury in full.

*Resolved* That the treasurer of this Common wealth be



and he hereby is directed in behalf of this Common wealth to credit the said Samuel Whitten the sum of one hundred pounds being equal to twenty five pounds lawful money in specie in full of the apparent Deficiency of said Samuel Whittens payment of said tax.

*June 22, 1793.*

### Chapter 69.

RESOLVE ON THE PETITION OF DANIEL ALLEN.

On the petition of Daniel Allen attorney for Richard Poor. *Resolved* for reasons set forth in said Petition that John Deming Esqr. Committee for methodizing public accounts be and he is hereby directed to Certify to the Governor and Council the pay or arrears of Pay due to the said Richard Poor for his services as a private Soldier in Colo. Tupper's Regt. and the Treasurer on Receiving a warrant is hereby directed to Issue his note or notes to the said Richard Poor in the same way and manner as has been Practiced in paying Other Soldiers.

*June 22, 1793.*

### Chapter 70.

RESOLVE ON THE PETITION OF JOHN WOODMAN, JACOB BRADBURY AND SAMUEL KNIGHT.

On the Petition of John Woodman Jacob Bradbury and Samuel Knight Committee of the Town of Buxton in the County of York and the Revd. Paul Coffin Minister of the Gospel in said Town.

*Resolved* for Reasons therein set forth that the prayer of said Petition be granted and that the Selectmen of said Town or any Committee by them appointed for the purpose be and they are her[e]by empowered to exchange the lands in said Town holden as a parsonage or any part thereof with the said Paul for an equal quantity of land of the said Paul's lying between his land and land of William Bradbury beginning on the Easterly side of the Road where it now goes at a Stake and Stone on the Northerly side of the first home lot and letter G running Northerly by said road fifty rods including the land on each Side of the Way and the said Selectmen or Committee are hereby empowered to make and execute a deed or deeds of the said Parsonage Lands to the said Paul which deed or deeds shall be good and effectual in law to convey the same in Fee.

*June 22, 1793.*

## Chapter 70A.\*

## ORDER ON THE PETITION OF THE INHABITANTS OF LEWISTOWN.

On the petition of the inhabitants, of the plantation called Lewistown in the County of Lincoln, together with the inhabitants of a gore of land adjoining thereto, praying to be incorporated into a town by the name of Lee.

*Ordered* that the petitioners cause an attested copy of their said petition with this order thereon [*to*] be published in the independent Chronicle printed in the town of Boston, three weeks successively sixty days at least before [*the*] second Tuesday of the next sitting of the General Court, that all persons concerned may then appear, & shew cause, if any they have, why the prayer of the said petition should not be granted.

June 22, 1793.

## Chapter 71.

## RESOLVE ON THE PETITION OF GEORGE CURWIN WARD.

Whereas George Curwin Ward late Depy. Collector of Excise for the County of Essex & now resident in the State of New Hampshire hath represented to this Court that he now stands indebted to this Commonwealth for the sum of Six hundred & Sixty three pounds seventeen shillings & four pence as deputy Collector of sd. County & hath prayed that twelve Months be allowed him for the payment of the same :

*Resolved* that the prayer of said petition be so far granted, as that there be allowed to said Ward the Term of six Months from the date of this Resolve for the payment of the Sum aforesaid into the Treasury of this Commonwealth *Provided* that said Ward give Bond to the Treasurer of the Commonwealth with two sufficient Sureties to the acceptance of the Treasurer conditioned for the payment of the sums aforesaid together with Interest on the same at or within the time aforesaid — and the Attorney General is hereby directed to cease the prosecution against said Ward (he paying all legal Costs which may have hitherto arisen,) as soon as the bond as aforesaid, shall be filed in the Treasurer's Office. June 22, 1793.

\* Not printed in previous editions. Taken from court record.

**Chapter 72.**

RESOLVE APPOINTING A COMMITTEE TO EXAMINE THE TREASURER'S ACCOUNTS.

*Resolved* That Thomas Dawes & Jona. Mason Esqr. be a Committee to examine and adjust the accounts of the Treasurer of the Commonwealth from the sixth day of July 1792 to the Thirty first day of May 1793, both days inclusive and the said Committee are directed & empowered to deface, all notes, due bills, and orders, Issued under the authority of this Commonwealth by any officer thereof that have been redeemed by the Treasurer during the time aforesaid and to report an account of their proceeding at the next Session of the General Court.

*June 22, 1793.*

**Chapter 72A.\***

ORDER ON THE PETITION OF ELIAS SMITH.

On the petition of Elias Smith of the town of Hadley in the County of Hampshire, praying to be set off from said town, and annexed to the town of Amherst.

*Ordered* that the said petitioner notify the said town of Hadley, by leaving an attested copy of his said petition and this order thereon, with the Clerk of said town, thirty days at least before the second Tuesday of the next setting of the General Court, that they may appear on said day, and shew cause, if any they have, why the prayer of said petition should not be granted.

*June 22, 1793.*

**Chapter 73.**

RESOLVE ON THE PETITION OF SARAH PENDERGRASS.

On the petition of Sarah Pendergrass praying that She may rec[e]ive the wages due to hir late husband Thomas Pendergrass a late Solger in the Contine[n]tal army, of Six pounds which has been Drawn by a forged order.

*Resolved* that the Treasurer of this Commonwealth be and he hereby is directed to issue to the Said Sarah Pendergrass a New note of Six pounds bearing date January 1st 1782 a former note of the same tenor & date appea[r]-ing to have been drawn by a forged order, by one Thomas Porter notwithstanding.

*June 22, 1793.*

\* Not printed in previous editions. Taken from court record.

## Chapter 74.

## RESOLVE ON THE PETITION OF NATHANIEL KINGSBURY.

On the petition of Nathaniel Kingsbury in behalf of the Town of Dedham praying that the Treasurer may be directed to discharge said Town of Dedham from sundry Ballances on back Taxes now charged in the Treasurers Books as set forth in said petition.

*Resolved* that the prayer thereof be so far Granted as that the Treasurer of said Commonwealth be and he is hereby directed to credit said Town of Dedham in the sum of thirteen pounds fourteen shillings & ten pence one farthing being the ballance of a Tax committed to one Ebenr. Bullard to collect for the year 1754 Also, in one other sum of nineteen pounds nineteen shillings & eleven pence three farthings being the ballance of Taxes committed to Samuel Shuttleworth to collect for the year 1772, it appearing by the Treasurers receipts that the same is paid amounting in the whole to the sum of Thirty three pounds fourteen shillings & ten pence.

*June 22, 1793.*

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## Chapter 75.

## RESOLVE ON THE PETITION OF BARNARD GOODRIDGE.

On the Petition of Barnard Goodridge only son and heir of Ezekiel Goodridge late of Almsbury Lieut. in the Regiment of Colo. Edward Wigglesworth who was Killed at Saratoga Praying that he may re[c]ieve the ballance of Half pay due to him, His mother who was widow to his said Father having reced. the half pay to the term of her marriage which was in May 20, 1780 to Mr. Henry Trussell.

*Resolved* that John Deming Esqr. Certify to the Governour and Council in favour of the said Barnard Goodridge the arrears of the said Half pay Due to the Estate of the [*said*] Ezekiel and the Treasurer on receiving a Warrant is hereby directed to Issue his note or notes to the said Barnard Goodridge in the same way & manner as has been practiced in like circumstances.

*June 22, 1793.*

**Chapter 76.**

RESOLVE GRANTING JACOB KHUN £3 18 3 $\frac{1}{2}$ , IN FULL OF THE  
BALANCE OF HIS ACCOUNT.

*Resolved* that there be allowed and paid out of the Publick Treasury to Jacob Khun the sum of three pounds Eighteen shillings three pence half penny, in full ballance of his account this day settled, and that the said Jacob Khun be discharged of the sum of forty two pounds he recd. out of the treasury in Consequence of two Resolves of the General Court one passed June 28, 1792 the other January 31st, 1793.

*June 22, 1793.*

**Chapter 76A.\***

ORDER FOR THE PRINTING AND DISTRIBUTION OF A DECISION  
RENDERED BY THE SUPREME JUDICIAL COURT OF THE  
UNITED STATES.

*Ordered* that Thomas Adams within six weeks from this time, cause to be printed for the use of the members of the Legislature, three hundred copies of a case, decided in the Supreme Judicial Court of the United States in February last, in which is discussed the question, whether a State is liable to be sued by a private citizen of another State; and deliver the same to the Secretary, who is hereby directed to distribute the same among the several members aforesaid, as soon as circumstances will permit without expence to the State.

*June 22, 1793.*

**Chapter 77.**

RESOLVE FOR PAYMENT OF THE CLERKS OF THE TWO  
BRANCHES OF THE LEGISLATURE.

*Resolved* that there be allowed & paid out of the public Treasury to Samuel Cooper Esqr. Clerk of the Senate forty pounds & to Henry Warren Esqr. Clerk of the House of Representatives forty Pounds on account of their services as Clerks aforesaid for the present year they to be accountable for the same respectively — And the Governor with the advice of Council is requested to draw his warrants on the Treasurer therefor.

*June 22, 1793.*

\* Not printed in previous editions. Taken from court record.



## Chapter 78.

ROLL NO. 27.

The Committee on Accounts having examined the Accounts they now present, Report, There is due to the Towns & Persons hereafter mentioned, the Sums set to their respective Names, which if allowed & paid, will be in full discharge of said Accounts, to the dates therein mentioned.

JOSEPH HOSMER *Per Order.**Expences of maintaining the Poor of ye Commonwealth.*

	£.	s.	d.
To the Town of Acton for supporting Eunice Barber & four Children from feby. 26, 1792 to June 18th 1793	10	0	0
To the Town of Boxbury for supporting John Kennedy & Wife from Novr. 2d, 1792, to June 1, 1793	12	0	0
To the Town of Brookfield for Supporting John Cain & Artimas Kenney from feby. 15th to Apl. 1, 1793	9	1	8
To Mattathias Rice for Medicine & Attendance on Artimas Kenney from feby. 15th to March 18th 1793	3	5	6
To Francis Foxcraft for Medicine & Attendance on Artimas Kenny from feby. 19 to March 27, 1793	0	17	0
To the Town of Boylston for supporting John Fanel from Jany. 31, to May 8th 1793 Medicine & attendance	12	13	4
To Samuel Brooks as further allowance on his Accot. for supporting Isaac Austin & family to Jany 1791	0	18	0
To the Town of Cambrige for supporting sundry persons up to June 18th 1793 Medicine & Attendance	7	5	4
To the Town of Concord for supporting William Shaw from Jany. 25th to June 10th 1793	4	16	10
To the Town of Chelmsford for supporting Thoms. Grant & Wife from Novr. 13, 1791 to May 23, 1793	11	3	1
To the Town of Colrain for supporting John Allen from Novr. 1792 to Apl. 1793 & supporting Eliza. Stewart from Decr. 31st 1792, to 26th Apl. 1793	14	8	0
To Joseph Allen for Medicine & Attendance on John Allen from Novr. 5, 1792 to May 4, 1793	24	0	0
To Samuel Ross for Medicine & Attendance on Eliza. Stewart from Apl. the 2d to the 19th 1793	2	19	0
To the Town of Chesterfield for supporting John Kennedy & Sally Burton from May 22, 1792 to May 4th 1793	22	11	0
To the Town of Charlestown for supporting George Perry from feby. 21st to March 2d 1793	2	11	8
To the Town of Draent for supporting John Hancock & Wife from March 4th to June 17th 1793	5	12	11
To the Town of Dorchester for supporting John Homan & family from June 20th 1792 to June 5th 1793 To funeral Charges for burying an Indian (Sarah George)	21	8	0
To the Town of East Hampton for supporting Rebecca Gardner from 1st Jany. 1792 to May 20th 1793	14	8	0

To the Town of Eastown for supporting Abigail Honeybrooks from Nov. 10th 1792, to May 1st 1793 . . . . .	£. s. d.
To the Town of Haverhill for supporting James Gay, his Wife & four Children from Jan'y. 5th 1792, to June 10th 1793 . . . . .	9 6 0
To the Town of Hopkinton for supporting Patience Bundly & Anna Fanning from feby. 1st 1792, to feby. 1st 1793 . . . . .	44 8 0
To the Town of Lunenburg for supporting John Kelly & family from Feby. 10, 1792 to May 18, 1793 . . . . .	10 16 0
To the Town of Medway for supporting William Franklin from Decr. 3, 1792 to June 5th 1793 . . . . .	27 13 8
To Jonathan Fay for Attendance & Medicine on William Franklin from March 2d 1792 to Apl. 24 1793 . . . . .	10 16 5
To Abijah Richardson for Medicine & Attendance on William Franklin Octo. 15th to 19th 1792 . . . . .	8 1 2
To the Town of Marshfield for supporting two Indian Children from 5th May 1792 to May 5th 1793 . . . . .	0 19 8
To the Town of New brantree for Percival Hall's acct. of Medicine & Attendance on Michael Lincoln from Jan'y. 13th to feb. 19th 1793 . . . . .	10 9 0
To the Town of Portland for supporting Sundry Persons, Medicine & Attendance from Apl. 9th 1792 to June 1793 . . . . .	1 4 5
To the Town of Shrewsbury for supporting Sarah the Wife of George Phillmore & Child from March 1st 1792 to March 1st 1793 . . . . .	39 15 1
To the Town of Stockbridge for supporting Rachael Frisby & others from Octo. 1791 to Decr. 1792 . . . . .	21 1 8
To the Town of Uxbrige for Supporting Betsey Trifle from 20th feby. 1792 to 22 May 1793 . . . . .	25 16 4
To the Town of Williamstown for supporting Sundry Persons from Jan'y. 26th to the 1st June 1793 . . . . .	32 10 0
To the Town of Westborough for supporting John Sendmore from 20 feby. to 12 June 1793 . . . . .	21 18 0
To the Town of York for supporting Elizabeth Perkins from Augt. 1st 1792 to June 1st 1793 . . . . .	5 17 10
	9 0 0
	<hr/>
	£.459 12 7
	<hr/>

*Sheriffs Accounts.*

To John Cooper Sheriff of ye County Washington his Acct. for dispersing precepts & returning Votes for federal Representatives to June 10th 1793 . . . . .	£. s. d.
To Dwight Foster Sheriff of the County of Worcester his Acct. for dispersing precepts & returning Votes for federal Representatives from March to May 20th 1793 . . . . .	14 18 4
To John Gardner Sheriff of the County of Nantucket his Acct. for serving a Precept & returning Votes for the Choice of Electors, from Novr. 1792 to May 20th 1793 . . . . .	11 14 4
To Richard Hunewell Sheriff of the County of Hancock for dispersing precepts & returning Votes for the Choice of Electors & federal Representatives & distributing proclamations from July 1792 to May 22, 1793 . . . . .	4 10 0
	26 7 0

To Simon Larned Sheriff of Berkshire County for distributing precepts & returning Votes for federal Representatives to May 1st 1793 . . . . .	£. s. d.
	3 11 9
To Johnson Molton Sheriff of the County of York for distributing Precepts & returning Votes for federal Representatives to May 17, 1793 . . . . .	6 12 3
To Elisha Porter Sheriff of the County of Hampshire for distributing precepts & returning Votes for Electors & federal Representatives, from July 1792 to May 1793 . . . . .	11 7 8
	<hr/> £.79 1 4 <hr/>

*Expences of the Militia.*

To John Cooper Adjutant from the 10th Apl. 1790 to the 10th Octr. 1792 . . . . .	£. s. d.
	12 5 0
To John Sarjent for his Services as Adjutant from Octr. 1, 1792 to feby. 7th 1793 . . . . .	4 0 0
To Volentine Martin for his Services as Adjutant from July 1st to Decr. 31st 1792 . . . . .	2 1 0
To Caleb Sylvester for his Services as Adjutant from Apl. 26, 1792 to May 29, 1793 . . . . .	4 11 0
To Jonathan Magee for his Services as Adjutant from March 9th 1792 to febury. 1st 1793 . . . . .	7 0 0
To Benjamin Warren for his Services as Brigade Major from Apl. 12, 1792 to May 28, 1793 . . . . .	10 2 0
To William Wedgery for his Services as Adjutant from July 10, 1792 to June 10th 1793 . . . . .	3 16 6
	<hr/> £.43 15 6 <hr/>

*Miscellaneous Accounts.*

To Benjamin Alline his Account to Novr. 1792 . . . . .	£. s. d.
	0 6 8
To Caleb Amidown his Account for surveying the Road from Worcester to Boston from Oct. 1792 to Apl. 23, 1793 . . . . .	5 10 0
To Samuel Baker Esqr. his Account for surveying the Road from Worcester to Boston from Sepr. 18, 1792 to Apl. 23, 1793 . . . . .	8 0 7
To Thomas Davis Esqr. his Accot. of Sundries from August 8th 1792 to June 6, 1793 . . . . .	48 15 11
To John Deming his Accot. of Wood for his office to June 1793 . . . . .	0 19 6
To Samuel Foster his Accot. as Clerk in the Treasurer's Office from July 3d 1792 to May 17th 1793 . . . . .	87 7 0
To Ephraim Russell his Accot. for Attendance on the Committee appointed to survey the Road from Worcester to Boston from Octo. 1792 to Apl. 27, 1793 . . . . .	1 18 9
To Josiah Sternes Esqr. his Accot for surveying the Road from Worcester to Boston from Sepr. 1792 to Apl. 1793 . . . . .	5 18 3
To Thomas Walcutt his Accot of Stationary to June 20, 1793 . . . . .	1 10 0
	<hr/> £.160 6 8 <hr/>

*Amot. of Roll No. 27, passed June 1793.*

	£.	s.	d.
For supporting the Poor of ye Commonwealth . . . . .	459	12	7
Expences of ye Militia . . . . .	43	15	6
Expences of Sheriffs . . . . .	79	1	4
Expences Miscellaneous . . . . .	160	6	8
	<hr/>		
	£ 742	16	1
	<hr/>		

Read & accepted & thereupon *Resolved* that his Excellency the Governour with the advice of Council be & he hereby is requested to issue his Warrant on the Treasury for the payment of the several Corporations & persons borne on the foregoing Roll, the sums set against their names respectively amounting in the whole to the sum of Seven hundred & forty two pounds sixteen shillings & one penny.

*June 22, 1793.*





# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF  
*SUFFOLK*, ON WEDNESDAY, THE TWENTY-NINTH DAY  
OF *MAY*, ANNO DOMINI, 1793; AND FROM THENCE CON-  
TINUED BY PROROGATION AND PROCLAMATION, TO  
WEDNESDAY, THE EIGHTEENTH DAY OF *SEPTEMBER*,  
FOLLOWING.

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1793. — SEPTEMBER SESSION.

### Chapter 1.

RESOLVE ON THE PETITION OF ICHABOD HOLBROOK.

On the petition of Ichabod Holbrook. *Resolved* That the Treasurer be and he hereby is directed to receive of Ichabod Holbrook Seventy six pounds six shillings in specie, and two hundred eighteen pounds six shillings & five pence in Army Notes in full satisfaction of what is now due from Ichabod Holbrook Collector of Braintree for tax No. 4 — *Provided* payment is made in manner aforesaid in six months from the passing this Resolve.

*September 19, 1793.*

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### Chapter 2.

RESOLVE ON REFERRED MATTERS.

*Resolved* That all matters & things whatever which were referred by the Legislature, at the last session of the General Court, to any particular Day in this session be farther referred to the next session of the General Court and to such day therein, as was appointed therefor in this session; and that all Executions which were ordered in

the said last session to be stayed untill this session or to any particular day in this session be further stayed untill the next session of the General Court & unto such day in the said next session as was directed therefor in this session, and that all Persons who in the said last session were directed to shew cause against granting the Prayer of any petition at this session or on any particular day in this session, have the same day in the said next session as was appointed therefor in this session, any thing in any resolution of the General Court at the said last session to the contrary notwithstanding: And the Secretary is directed to publish this Resolve in the public Newspapers as soon as may be.

*September 19, 1793.*

### Chapter 3.

#### RESOLVE ON THE PETITION OF WILLIAM BRIDGE.

On the Petition of William Bridge of Rutland. *Resolved* That his Excellency the Governor with the advice of his Council be requested to draw his warrant on the Treasurer of this Commonwealth to pay to William Bridge of Rutland the Sum of Five pounds eighteen Shillings and four pence being for the same Sum allowed him by the General Court for Services performed for the Commonwealth, which Sum has been paid to William Bridge of Chelmsford by the Treasurer by mistake.

*And be it further resolved* that the Attorney General of this Commonwealth with the Treasurer thereof be and they hereby are directed If they shall judge it expedient to take proper and effectual means for recovering the same Sum of the Said William Bridge of Chelmsford for the Use of this Commonwealth, it having been paid to him wrongfully and by mistake.

*September 19, 1793.*

### Chapter 4.

#### RESOLVE ON THE PETITION OF JAMES OSGOOD, GRANTING HIM LIBERTY TO SELL ESTATE.

On the petition of James Osgood, praying for liberty to make sale of some real estate in the Town of Fryburgh, lately belonging to Samuel Osgood deceased for the benefit of Jane Osgood a minor.

*Resolved*, that the prayer of the petition be granted, & that the said James Osgood, guardian to the said Jane

Osgood, is hereby appointed, authorized and empowered to make sale of all her Interest and property in the Farm lately belonging to her said Father Samuel Osgood deceased, lying in the Town of Fryburgh either at private Sale or public vendue; he observing, in every respect the rules and regulations established by Law, for executors — Administrators and Guardians, who obtain licence, from the Supreme Judicial Court for the Sale of real estate, and upon such Sale to make and execute good and sufficient deed or Deeds to the purchaser or purchasers thereof.

*September 20, 1793.\**

### Chapter 5.

RESOLVE ON THE PETITION OF THOMAS SAWIN, 2D.

On the Petition of Thomas Sawin Second Administrator *De bonis non*, on the estate of Richard Sanger late of Sherburn in the County of Middlesex gentleman deceased.

*Resolved* for reasons set forth in his Petition That the Prayer thereof be granted and that the Judge of Probate for the County of Middlesex be and he is hereby authorised and impow[er]ed to grant a new Commission to the Former or other Commissioners (at his election) being Freeholders of the same County and otherways qualified for that business as the Law directs said Commissioners to notify the Creditors in due form of Law, and to reexamine the Claims heretofore exhibited against said Estate, as also to receive and examine all further Claims that may be presented for allowance and make report of all such demands as to them may appear legal & Just to the Judge of Probate in a time not exceeding Six months from the date of their Commission said Judge of Probate to make such order and Decree thereon & in the same manner as though said Claims had been Exhibited within the time the Law has prescribed any Law to the contrary notwithstanding.

*September 20, 1793.\**

### Chapter 6.

RESOLVE ON THE PETITION OF JOHN TILLEY.

On the petition of John Tilley Administrator on the Estate of Thomas Chambers a Soldier Deceased. *Re-*

\* Not signed by the governor,

*solved* that John Deming Esqr. be and he hereby is directed to Certify to the Governor and Council the pay or arrears of pay due to Thomas Chambers for his Services as a Soldier in Colo. Sprouts Regiment — And the Treasurer on receiving a warrant therefor is hereby directed to Issue his note or notes to the Administrator on the estate of the said Thomas Chambers in the same way and manner as has been practiced in paying other soldiers for Similar Services.

*September 21, 1793.\**

### Chapter 7.

RESOLVE ON THE PETITION OF MAREY TORREY AND SAMUEL FAIRBANKS.

On the Petition of Marey Torrey & Samuel Fairbanks Administrators on the Estate of John Torrey late of Mendon Dec[e]ased, praying for leave to make sale of the Real Estate of the said Deed. lying in the Town of Chester in the County of Hamshire for reasons set forth in their Petition.

*Resolved* that the said Administrators be and they are hereby authorized and impowered to dispose of the whole of the Real Estate of which the said John Torrey Died seized and possessed; at publick or private Sale as they shall find most for the benifit of all those Interested in said Estate and to make and Execute good and Lawfull Deed or Deeds of the Same, they first giving Bonds to the Judge of probate for the County of Worcester to account for the whole proceeds of such sale or sales and apply the same agreeable to Law.

*September 21, 1793.\**

### Chapter 8.

RESOLVE ON THE PETITION OF MARY BIRD.

On the petition of Mary Bird Administratrix and sole heir to the Estate of John Doring deceased. *Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to John Doring a private soldier in Colo. Marshalls Regiment and the Treasurer on receiving a warrant therefor is hereby directed to Issue his note or notes to the Administrator on the estate of the said John Doring in the same way and manner as has been practiced in paying other soldiers for Similar services.

*September 21, 1793.\**

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\* Not signed by the governor.

**Chapter 9.**

## RESOLVE ON THE PETITION OF JOSIAH THACHER.

On the Petition of Josiah Thacher Esqr. in Behalf of Benjamin Adams Administrator on the Estate of Joshua Adams Praying that John Deming Esqr. Auditor of Public accounts may be Directed to Certify what was due to the said Joshua Adams Deceased.

*Resolved* that John Deming Esqr. be directed to Certify to the Governor and Council in favour of the Lawfull heirs of Joshua Adams the pay or arrears of Pay due to the said Joshua Adams a Soldier in Colo. Brooks Regt. and the Treasurer on Receiving a warrant is hereby directed to Issue his note or notes to the said Benjamin Adams administrator as aforesaid in the same way and manner as has been practiced in paying Other Soldiers.

*September 21, 1793.\**

**Chapter 10.**

## RESOLVE DIRECTING THE TREASURER TO SUSPEND PROCEEDINGS AGAINST THE TOWN OF ADAMS.

On the petition of Israel Jones in behalf of the town of Adams. *Resolved* for reasons therein set forth that the prayer thereof be so far granted that the treasurer of this Commonwealth be and hereby is directed to suspend the operation of all legal proceeding[s] against the inhabitants of the town of Adams for the deficiencies of Luther Rich a late Collector of said town till after the first day of June next.

*September 21, 1793.\**

**Chapter 11.**

## RESOLVE ON THE ACCOUNTS OF THE GUARDIANS OF THE DUDLEY INDIANS.

Whereas it appears by examining the account presented by the Guardians of the Dudley Indians from January 9th 1792 — to February 25th 1793 — that there is a ballance in favour of said Guardians (Including a ballance due to them in a Settlement made January ye 9th 1792 —) of the sum of fiftyseven pounds ten shillings & seven pence, for articles furnished said Indians &c :

\* Not signed by the governor.



*Resolved*, that the aforesaid Sum of Fiftyseven pounds Ten shillings & seven pence, be allowed and Credited as a Ballance due to said Guardians accordingly.

*September 23, 1793.\**

### Chapter 12.†

#### ORDER ON THE PETITION OF THOMAS PEAGAN.

On the petition of Thomas Peagan an indian man, setting forth that he has been at great expence in supporting his mother in her last sickness, and that his proportion of the lands belonging to the Dudley Indians has been set off to him sixteen years, and has been rented for at least four pounds a year, and that he has never received any thing from the Guardians of the aforesaid Indians.

*Ordered* that the said Thomas Peagan notify the aforesaid Guardians to appear on the second Wednesday of the next sitting of the General Court by serving them with an attested copy of his petition and this order thereon, thirty days at least before the time above prefixed, and shew cause, if any they have, why they should not pay to the said Peagan the proportion which he claims of the rent abovementioned.

*September 23, 1793.\**

### Chapter 13.

#### RESOLVE ON THE PETITION OF JORDAN PARKER.

On the petition of Jordan Parker Agent for the town of George town in behalf of Benjamin Clifford lately a collector for said town.

*Resolved* that for reasons set forth in said petition the Execution issued by the Treasurer of the Commonwealth against the said Clifford for the sum of one hundred & twenty two pounds be & the same is hereby suspended untill the first day of March next in order that said town of George town may have opportunity to Defend themselves & their said collector — and the treasurer is hereby directed to conduct himself accordingly.

*September 23, 1793.\**

\* Not signed by the governor.

† Taken from court record.

**Chapter 14.**

## RESOLVE ON THE PETITION OF HOPESTILL CAPEN.

On the petition of Hopestill Capen praying compensation for an Iron Stove. *Resolved* that the prayer thereof be so far granted, as that it be committed to the Committee on Accounts for examination and allowance, if the demand shall appear to them just & reasonable any Law or Resolve to the contrary notwithstanding.

*September 23, 1793.\**

**Chapter 15.**

## RESOLVE REMITTING £.308 11 8, DUE FROM THE TOWN OF DARTMOUTH.

Whereas by a Resolve passed March third one thousand seven hundred & ninety two, the sum of three hundred and eight pounds eleven shillings & eight pence, said to be a balance then due to the Common-wealth, on taxes numbered one and two, from the Town of Dartmouth, is directed to be remitted to said Town — and Whereas it appears that said Town had previous to the time of passing the resolve aforesaid, paid the said Taxes of number one and two, and that the aforesaid sum due from the Town of Dartmouth, on the October one thousand seven hundred & eighty one tax, was intended by said Resolve to be remitted :

*Resolved* that the aforesaid Resolution of third of March one thousand seven hundred & ninety two, be and hereby is repealed, and that the sum of three hundred & eight pounds eleven shillings & eight pence due from the Town of Dartmouth, on October seventeen hundred & eighty one Tax, be and hereby is remitted, and the Treasurer is directed to govern himself accordingly.

*September 23, 1793.\**

**Chapter 16.**

## RESOLVE ON THE PETITION OF THE SELECTMEN OF REHOBOTH.

On the Petition of the Selectmen of the Town of Rehoboth Praying for relefe on account of Abel Carpenter being a Deficient Collector of tax number two for said town.

\* Not signed by the governor.

*Resolved* for Reasons Set forth in Said Petition, that the Prayer thereof be So far granted, that the treasurer of this Commonwealth be, and he is hereby authorised and Directed to Receive of the Selectmen of said Rehoboth the Sum of fifty-seven Pounds and Six Pence in gold and Silver in full for the Sum of one hundred and forty-two Pounds Eleven Shilings and two Pence Due from Said town on account of Abel Carpenter Being a Deficient Collector of numbr. two tax for Said town of Rehoboth. *Provided* the Selectmen of Said town Shall Pay the above mentioned Sum of fifty-Seven Pounds and Six Pence into the treasury of this Commonwealth within Six mounths from the Passing of this Resolve. *September 24, 1793.\**

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### Chapter 17.

RESOLVE AUTHORIZING THE TREASURER TO CREDIT HAFFIELD WHITE £.8 12 9.

On the petition of Haffield White a Collector in the Town of Danvers for the year 1781 shewing that he stands Charged on the Book of the Treasury of this Commonwealth with the Sum of Eight pounds twelve shillings & 9 pence new-emetion Money and praying to be Discharged their from for reasons sett fourth in Said petition and it appearing to this Court that the Said sum hath been paid by the petitioner, therefore

*Resolved* that the Treasurer of this Commonwealth be and he hearby is authorized and directed to credite the Said collector the aforsaid Sum of eight pounds twelve shilling & 9 pence and fully Descharge him theirfrom.

*September 24, 1793.\**

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### Chapter 18.

RESOLVE ON THE PETITION OF ASA NOBLE.

On the petition of Asa Noble praying that he may receive the wages due to his Son Ashbel Noble. *Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to Ashbel Noble for his Services as a private Soldier in Colo. Shephards Regiment — and the Treasurer on receiving a warrant therefor is hereby Directed to Issue his note or notes to

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\* Not signed by the governor.

the said Asa Noble Father and heir to the said Ashbel Noble in the same way and manner as has been practiced in paying other soldiers for Simelar services.

*September 24, 1793.\**

### Chapter 19.

RESOLVE ON THE PETITION OF THE REV. SAMUEL SPRING,  
GRANTING HIM £.18.

On the Petition of the Rev'd Samuel Spring praying, that he may be compensated for his service as Chaplin in Colonel Fellows's Regiment in the year 1775, for reasons set forth in the said Petition.

*Resolved*, that there be allowed and paid out of the Public Treasury of this Commonwealth to the Said Samuel Spring Eighteen Pounds, in full for the arrears of his pay for the service aforesaid.

*September 24, 1793.\**

### Chapter 20.

RESOLVE ON THE PETITION OF EZRA BLODGETT.

On the Petition of Ezra Blodgett Attorney to William Blake a private Soldier in Colo. Nixons Regiment praying that he may receive the wages due to the said William Blake.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to William Blake for his Services as a private Soldier in Colo. Nixon's Regiment and the Treasr. on Receiving a warrant therefor is hereby directed to Issue his note or notes to the said Ezra Blodget attorney to the said William Blake — in the same way and manner as has been practiced in paying Other Soldiers for Simelar Services.

*September 24, 1793.\**

### Chapter 20A.†

ORDER ON THE PETITION OF THE INHABITANTS OF THE  
COUNTY OF LINCOLN.

On the Petition of a number of ye Inhabitants in the County of Lincoln, praying that an act made July 16th 1789 Intitled an Act to prevent the distruction & to regulate the catching of the fish, called, Salmon, Shad, & Alewives, in the rivers & streames in the County of Cum-

\* Not signed by the governor.

† Not printed in previous editions.

berland & Lincoln — Be in its operation so far suspended as it respects a stream called mile brook issuing from a pond in or near the Northeast corner of the Town of Vassalborough in said County of Lincoln, runing through said Vassalborough & partly through the Town of Winslow, & emtying into the river Sebesticook about one mile above fort Hallifax.

*Ordered* that the Petitioners cause the before mentioned petition with this Order to be published six weeks in the Eastern Herald previous to the next sessions of the General Court, that the Inhabitants or any other person concerned, may shew cause if any they have, on the second Wednesday of the next Sessions of the General Court why the Prayer of said petition should not be granted.

*September 24, 1793.*

### Chapter 21.

RESOLVE CONFIRMING THE DOINGS OF WILLIAM HEATH, ESQ. JUDGE OF PROBATE OF NORFOLK COUNTY; HE PAYING FEE.

On the Petition of Wm. Heath Esq. Judge of Probate for the County of Norfolk, praying a Confirmation of his Acts in his said Office, the not paying the Duty imposed on his said Commission, notwithstanding.

*Resolved*, that the Doings of the said William Heath in his said Capacity of Judge of Probate for the County of Norfolk be & they hereby are confirmed & made valid although he has from want of a Collector of Excise in said County not yet paid the Duty by Law ordered to be paid on said Commission — *Provided* said William Heath pay the same to the Treasurer of this Commonwealth in ten Days from the passing of this Resolve. And the Treasurer of this Commonwealth is authorised & directed to Receive the same accordingly, and payment to the said Treasurer shall operate in the same manner as tho' the same was made to the Collector of Excise.

*September 24, 1793.\**

### Chapter 22.

RESOLVE ON THE PETITION OF THOMAS INGERSOL.

On the petition of Thomas Ingersol collector of taxes in the town of Great Barrington in the place of John Hecox.

\* Not signed by the governor.



*Resolved* that the Sheriff of the County of Ber[k]shire be and is hereby impowered and derected to return into the Treasury's office an execution in his hands issued in July last for the sum of four hundred and twenty four pounds 14/2 against said John Hecox for so much supposed to be due on tax No. 3 from him; that the same Town & collectors be discharged from that sum and the same be charged to Caleb Hide late Sheriff of that county and that he the said Hide be required to pay the same into the Treasury it appearing by his receipt he received that sum & has not rendered any account thereof.

*September 25, 1793.\**

### Chapter 23.

RESOLVE MAKING AN ADDITION TO THE PENSION OF DAVID FOSTER.

On the petition of David Foster of Pembroke a pensioner of this Commonwealth, praying that his pension may be increased.

*Resolved* for reasons set forth in his petition that there be Allowed & paid out of the Treasury of this Commonwealth, to the said David Foster a further sum of Three pounds & Twelve shillings—annually as a pension; in addition to Twelve pounds already established upon him for Life.

*September 25, 1793.\**

### Chapter 23A.†

ORDER ON THE PETITION OF DAVID SMEED AND OTHERS.

On the petition of David Smeed, William Young Benjamin Nash & Hugh McClallen, praying for an Assessment on the Bullock Grant of land so called on Hoosuck Mountain in the County of Berkshire for the purpose of Making a public Road ovr. said Mountain.

*Ordered* that the proprietors of Said Grant be notified to Appear on the second Wednesday of the next setting of the General Court and Shew Cause if any they have why the Prayer of said Petition should not be Granted, and that the said Petitioners furnish the Clerk of said Proprietors with a Copy of their Petition, with this Order thereon thirty days at least before the said second Wednesday.

*September 25, 1793.*

\* Not signed by the governor.

† Not printed in previous editions.

## Chapter 24.

## RESOLVE AUTHORIZING JOHN NOYES TO EXECUTE A DEED OF LAND.

On the petition of John Noyes the only surviving Admor. on the estate of John Noyes Esqr. late of East Sudbury decd. praying to be authorized to make & execute a good & sufficient deed of a certain tract of land lying in the town of Charlton in the County of Worcester which hath been set off to him & Joseph Curtis Esqr. (since decd.) as admors. on the estate of the said John Noyes decd. to answer an execution in favr. of his estate against Jacob Davis Esqr. which debt appeareth not to be the property of the heirs of the said John decd. but to be the property of Ezra Taylor Esqr.

*Resolved* for reasons set forth in said petition that the said John Noyes be & he is hereby authorized and empowered in his said capacity to make & execute a good & sufficient deed of the said land set off as aforesaid with its appurtenances to the said Ezra Taylor or to his heirs which deed when made & fully executed shall be valid in law.

*September 25, 1793.\**

## Chapter 25.

## RESOLVE GRANTING £.18 TO ISAAC PEIRCE.

*Resolved* that there be allowed and paid out of the public Treasury to Isaac Peirce messenger to the Governor and Council the sum of Eighteen pounds to enable him to procure for the Council Chamber and Secretary's Office such articles as shall be found necessary, he to be accountable for the same.

*September 25, 1793.*

## Chapter 25A.†

## ORDER ON THE PETITION OF NATHANIEL FISHER AND OTHERS.

On the petition of Nathaniel Fisher, James Pope, and Jesse Smith, praying that the proprietors of certain Meadow land therein described may be incorporated into a Common field &c.

*Ordered* that the petitioners notify all concerned to appear on the second Friday of the next session of the

\* Not signed by the governor.

† Not printed in previous editions. Taken from court record.

General Court, by causing to be published in the Independent Chronicle three weeks successively, thirty days at least before said term, an attested copy of said petition, and this order, that they may appear on said day, and shew cause, if any they have, why the prayer thereof should not be granted.

*September 25, 1793.*

### Chapter 26.

RESOLVE ON THE PETITION OF BENJAMIN WHITTEMORE WILLARD AND OTHERS.

On the Petition of Benjamin Whittemore Willard, Paul Willard: & William Willard: setting forth that they purchased of the administrator on Aaron Willards estate, a certain Tract of land lying partly in Lancaster & partly in Harvard in which this Commonwealth has a Just claim: & praying that they may be secured in their Title.

*Resolved* that the prayer of said Petition be granted & that the Honorable James Sullivan esqr. be & hereby is fully authorized and impowred to convey to the said Petitioners all the right & Title this Commonwealth hath in the estate above mentioned & to make & execute a Deed thereof if the said petitioners shall pay into the Treasury of this Commonwealth before the executing the said deed the sum of three Hundred pounds: or give good security for the payment of that sum with interest to the satisfaction of the said James Sullivan and at such time as shall be agreed on between the said James and the Petitioners.

*September 26, 1793.\**

### Chapter 27.

RESOLVE FOR PAYING MEMBERS OF THE GENERAL COURT.

*Resolved* That there be allowed and paid out of the treasury of this Commonwealth to each of the members of the Honourable Council, Senate and house of Representatives nine shillings for each days attendance and a like sum for every ten miles travel.

*And be it further Resolved* That there be allowed and paid as above to the Hon. Samuel Phillips Esq. President of the Senate and to the Hon. Edward Hutchinson Rob-

\* Not signed by the governor.

bins Esq. Speaker of the house of Representatives six shillings each for every days attendance over and above their pay as members of the Legislature as above stated ; & that the treasurer of the Commonwealth be & he hereby is directed and ordered to pay to the respective members accordingly out of the money in the treasury not already appropriated upon his receiving a warrant therefor from his Excellency the Governour with advice of Council.

*September 26, 1793.*

### Chapter 27A.\*

#### ORDER ON THE PETITION OF JAMES BRIGGS.

On the petition of James Briggs praying that the Administrators of James Briggs the 3d. Decsd. may be impowered to give and Execute to him a deed of a Certain piece of Salt marsh part of the Estate of the said James Briggs Decsd. for reasons set forth in his Petition.

*Ordered* that the Petitioner notify all concerned, by leaving with the Guardians to the Heirs of the said James Briggs Decsd. (if any there be) and with the administrators to said Estate an attested copy of his petition and this order thereon at least fourteen day[s] before the Second wednesday of the next seting of the General Court that they at that time may appear & shew cause if any they have why the prayer of said Petition should not be granted.

*September 26, 1793.*

### Chapter 28.

#### RESOLVE GRANTING 15s. TO JAMES HILL.

On the Petition of James Hill Praying for his Extra Pay for his Service as a Lieut. at Rhodisland for the Term of Six Weeks.

*Resolved* for reasons Set forth in Said Petition that the Prayer thereof be granted and that there be paid to the said James Hill out of the Treasury of this Commonwealth the Sum of fifteen Shillings it being the Specie value of the Extra pay for the Service aforesaid.

*September 26, 1793.†*

\* Not printed in previous editions.

† Not signed by the governor.

## Chapter 29.

RESOLVE GRANTING £.2 2 6 TO ELI CLAP, AND £.2 4 TO NATHANIEL SEA[R]L, JUN.

On the Petition of Nathaniel Sea[r]l Junior and Eli Clap. *Resolved* that there be allowed and paid out of the public Treasury of this Commonwealth to the said Nathaniel Sea[r]l, Junior Two pounds four Shillings and to the said Eli Clap Two pounds two Shillings and six pence in full for their respective Fire arms and other things mentioned in their petition which they lost in the public Service in the year 1787.

*September 26, 1793.\**

## Chapter 29A.†

ORDER ON PETITION OF THOMAS KITTERIDGE AND BENJAMIN FARNUM.

On the petition of Thomas Kitteridge & Benjamin Farnum, Agents in behalf of the town of Andover, praying that an Act may be passed, securing said town from charge and expence for roads, conformably to the true intent and meaning of the agreement betwixt the agents of said town, and the agent for the Proprietors of Andover Bridge in the County of Essex.

*Ordered* that the said petitioners notify the proprietors of the said Bridge, by serving their Clerk with an attested copy of their said petition, and this order thereon, thirty days at least, before the second Wednesday of the next sitting of the General Court, that they may appear on said day and shew cause, if any they have, why the prayer of the said petition should not be granted.

*September 26, 1793.*

## Chapter 30.

RESOLVE ON THE PETITION OF SAMUEL TARBELL.

On the petition of Samuel Tarbell setting forth that he is a creditor of the estate of Jonas Cutler late of Groton in the county of middlesex deceased — And that commissioners were duly appointed to receive and examine the several claims to said estate, that a list of claims have

\* Not signed by the governor.

† Not printed in previous editions. Taken from court record.



been returned and the Judge of probate has decreed thereon during all which time the said Tarbell was out of this commonwealth in parts beyond sea; and that considerable estate yet remains to be apportioned to and among the several creditors to said Estate. therefore

*Resolved* that the honble. Oliver Prescott Esqr. Judge of probate for said county of middlesex Be and he hereby is empowered to Issue a Commission granting a further time for the commissioners who were appointed on said estate to receive and Examine the claims of the several creditors to said estate — and if the same shall be found due to decree to the said Claimants a proportion of said Estate equal to what the other creditors of said Estate have received and may receive from said Estate.

*September 27, 1793.\**

### Chapter 31.

RESOLVE ON THE PETITION OF THE HEIRS AND REPRESENTATIVES OF THE HEIRS OF BRIGADIER-GENERAL WALDO, DECEASED.

On the petition of the heirs and representatives of the heirs of Brigadier Genl. Waldo decd. praying for a remission of such part of the taxes assessed upon them as now remains unpaid.

*Resolved* that all further measures for collecting or enforcing the payment of said taxes be suspended until the third Wednesday of the next sitting of the Genl. Court & the Treasurer of the Commonwealth & all others concerned are required to govern themselves accordingly.

*September 27, 1793.\**

### Chapter 32.

RESOLVE ON THE PETITION OF JEREMIAH LAKE.

On the petition of Jeremiah Lake praying that he may receive the wages due to him as a Soldier in Colo. Bigelows Regiment.

*Resolved* that the prayer thereof be Granted and that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said Jeremiah Lake for his services as a Soldier in Colo. Bigelows Regiment and the Treasurer on receiving a Warrant therefor is

\* Not signed by the governor.

hereby directed to Issue his note or notes to the said Jeremiah Lake in the same way as has been practiced in paying other Soldiers for Simelar Services.

*September 27, 1793.\**

### Chapter 32A.†

#### ORDER ON THE PETITION OF NATHANIEL B. DOUD.

On the petition of Nathaniel B. Doud agent for a number of petitioners of the towns of Sandisfield Tyringham, New Marlborough and Great Barrington praying to be incorporated into a religious Society, by the name of the first Baptist Society of Sandisfield.

*Ordered* that the petitioners notify the said towns of Sandisfield, Tyringham, New Marlborough, & Great Barrington by lodging with the Clerks of the several towns, an attested copy of their said petition and this order thereon thirty days before the second Wednesday of the next session of the General Court, to appear on said day and shew cause, if any they have, why the prayer of said petition should not be granted.

*September 27, 1793.*

### Chapter 33.

#### RESOLVE ON THE PETITION OF EPHRAIM RUSSELL.

On the petition of Ephraim Russell praying that he may receive the wages due to his Son Nathaniel Russell a Soldier in Colo. Baileys Regiment who died in the army.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said Nathaniel Russell for his Services as a Soldier in Colo. Baileys Regiment and the Treasurer on Receiving a warrant therefor is hereby Directed to Issue his note or notes to the said Ephraim Russell Administrator on the Estate of Nathaniel Russell in the same way and manner as other soldiers have been paid for simelar services.

*September 27, 1793.\**

\* Not signed by the governor.

† Not printed in previous editions. Taken from court record.

### Chapter 34.

#### RESOLVE ON THE PETITION OF JOSHUA OSGOOD, JUN.

On the Petition of Joshua Osgood Junr. praying that a judgment obtained against him by one Josiah Abbot may be set a Side, for reasons Set forth in the Said Petition.

*Resolved*, that the Said Joshua Osgood Junr. Serve the Said Josiah Abbot with an Attested Copy of his Said Petition & this Resolve at Least twenty Days before the Second Wednesday of the next Setting of the General Court, that he may appear and Shew Cause, if any can be Shewn, on the Said Day, why the prayer of the Said Petition should not be granted and that Execution be stayed in the mean time.

*September 27, 1793.\**

### Chapter 35.

#### RESOLVE ON THE PETITION OF JOSEPH HOBBS.

On the petition of Joseph Hobbs one of the Constables of the town of Wells praying to be discharged from Eighty one pounds ten shillings & five pence paid Johnson Moulton Esqr. decd. late Sheriff of the County of York in part of an Execution for tax Number five on which the said Joseph was committed as appears from two receipts signed by the said Sheriff.

*Resolved* that the said Joseph be directed to deliver said receipts to the Treasurer of this Commonwealth & thereupon that the said Treasurer be directed to discharge the said Joseph from the said sum & to demand & receive the same of the Executors of the last Will of the said Sheriff or of any other person or persons who were answerable for the conduct of the said Sheriff whilst in Office.

*September 27, 1793.\**

### Chapter 36.

#### RESOLVE ON THE PETITION OF JOSEPH LOPEZ.

On the Petition of Joseph Lopez Administrator on the Estate of Aaron Lopez late of Leicester in the County of Worcester deceased praying that a further time may be

\* Not signed by the governor.

allowed for bringing in & exhibiting claims against the Estate of the said Aaron.

*Resolved* That the Judge of Probate of Wills &c. within & for the County of Worcester be and he hereby is authorized to extend the Commission of the Persons heretofore by him appointed to hear & examine the claims against the said Estate or to appoint other Persons for that purpose, and that he grant the further time of nine Months from the day of passing this Resolve for them to make their Report to him according to Law — any Law or Resolve to the contrary notwithstanding.

*September 27, 1793.\**

### Chapter 37.

RESOLVE GRANTING £.40 8 8, TO THOMAS LAWS, IN A NOTE.

On the petition of Thomas Laws. *Resolved* that there be allowed and paid to the said Thomas Laws the sum of forty pounds eight shillings & eight pence, in a Specie Note for a deduction made from his wages as a Soldier in Colo. Timothy Bigelows Regiment, in the late Continental Army, Said deduction being the amount of his Town Bounty from the Town of Stow, and which he appears to be entitled to, and that the Treasurer be and he is hereby directed to Issue a Note to the Said Laws for that sum, bearing date the same time which notes in simalar Cases have heretofore born date. *September 27, 1793.\**

### Chapter 38.

RESOLVE ALLOWING EXTRA PAY TO THE COMMITTEE ON ACCOUNTS.

*Resolved* that there [*be*] allowed and paid out of the Public Treasury of this Common-wealth, in the same manner as the members of the General Court are paid, for their travel and attendance the present session, to the Committee appointed to examine and pass on Accounts, for their services on said Committee, the following sums in addition to their pay as Members of the Legislature, *vizt.* to the honble. Joseph Hosmer Esqr. for nine days attendance the sum of fifteen shillings — to the Honble. Stephen Metcalf Esqr. for six days the sum of ten shillings — to Samuel Flagg Esqr. for nine days the sum of fifteen shil-

\* Not signed by the governor.

lings to Benjamin Read Esqr. for four days the sum of six shillings and eight pence to Joseph Tucker Esqr. for four days the sum of six shillings and eight pence which sums shall be in full for their services as aforesaid.

*September 27, 1793.*

### Chapter 39.

RESOLVE ON THE PETITION OF THE TOWN OF SANDISFIELD.

On the Petition of John Picket Jur. Esqr. In behalf of the Town of Sandisfield Praying that the Treasurer be directed to Credit the Town of Sandisfield the Sum of Thirty six pounds Seventeen shillings and one penny.

*Resolved* for reasons Set forth In said Petition that the Prayer thereof be granted and that the Treasurer of This Commonwealth be directed to Credit the Town of Sandisfield the Sum of Thirty Six pounds Seventeen shillings And One penny on No. 3 Tax. *September 27, 1793.\**

### Chapter 40.

RESOLVE ESTABLISHING THE PAY OF THE NON-COMMISSIONED OFFICERS AND MATROSSES OF THE GARRISON, AT CASTLE ISLAND.

On the Petition of the Non-commissioned Officers & Matrosses on Castale Island. *Resolved* that there be paid out of the Publick Treasury of this Commonwealth, to each Non-commissioned officer & Matross on Castale Island from the twenty first day of Septr. instant, the following sums per month in the same manner as they have heretofore been paid :

to each Quarter Gunner	two pound ten Shillings
to each Serjeant	two pound eight Shilling
to each Corporl.	two pound four Shilling
to each Drummer & fifer	two pound four Shilling
to each Matross	two pound

*September 27, 1793.\**

### Chapter 41.

RESOLVE GRANTING £.28 1 11 TO THE SELECTMEN OF THE TOWN OF MILTON.

On the Petition of the Selectmen of Milton. *Resolved* that the Prayer thereof be granted, and that there be al-

\* Not signed by the governor.



lowed & paid out of the Treasury of this Commonwealth to the Selectmen, of the town of Milton; for the use of the Inhabitants thereof, the sum of twenty eight pounds one shilling & eleven pence in full for their Disbursements on Account of Benjamin Smith a soldier in the six months service for the year 1780.

*September 27, 1793.\**

### Chapter 42.

#### RESOLVE ON THE PETITION OF BARTLETT HOLMES.

On the petition of Bartlett Holmes. *Resolved*, That the sum of Eighteen pounds, sixteen shillings, & two pence, which appears on the Treasury Book to be due to the Commonwealth from the said Bartlett Collector for the Town of Plymouth in the year 1781 be and hereby is abated: the same appearing to have been charged against him by mistake.

*September 27, 1793.\**

### Chapter 43.

#### RESOLVE ON THE PETITION OF ROBERT BANCROFT.

On the petition of Robert Bancroft a private soldier in Col. Crane's regiment of artillery praying that he may receive the wages due to him for his Service.

*Resolved* That John Demming Esq. certify to the Governour and Council the pay or arrears of pay due to the said Robert Bancroft for his service as a private soldier in Col. Crane's regiment; and the treasurer of the Commonwealth on receiving a warrant is hereby directed to issue his note or notes to the said Robert Bancroft in the same way & manner as has been practised in paying other soldiers any law or resolve to the contrary notwithstanding.

*September 27, 1793.\**

### Chapter 44.

#### RESOLVE RENDERING VALID DUTIES OF CERTAIN OFFICERS WHO HAVE NOT PAID THE FEE REQUIRED BY LAW.

Whereas it appears to this Court that a number of civil Officers within this Commonwealth who have been appointed & commissioned have been prevented paying the fee or duty on their Commissions by law directed from misapprehension of the law by the Officers whose duty it

\* Not signed by the governor.

was to receive such fee & doubts have arisen respecting the validity of their acts & doings in their several Offices, Therefore

*Resolved* that the proceedings acts & doings of the aforesaid civil officers in their several offices be & hereby are made & declared to be as legal and valid to all intents & purposes as the same would have been if the fee or duty aforesaid had been paid conformably to law — *Provided* that the said officers shall pay the legal fees or duty on their several commissions to the Treasurer of this Commonwealth within sixty days from the passing this Resolve & the said Treasurer is hereby authorized & directed to receive such fee & to give duplicate receipts for the same one of which shall be lodged in the Secretaries Office.

*September 27, 1793.\**

### Chapter 44A.†

ORDER ON THE PETITION OF SOLOMON RALPH AND OTHERS.

On the petition of Solomon Ralph, Samuel Russell, Simeon Allen, & Uriah Moore, praying that they, with certain lands described in said petition may be set off from the town of Hubbardston, and annexed to the town of Princeton.

*Ordered* that the said petitioners notify the town of Hubbardston and Princeton, by lodging with the Clerks of said Towns respectively an attested copy of their said petition & this order, thirty days before the third Tuesday of the next sitting of the General Court, that they, or either of them may appear on said day and shew cause, if any they have, why the prayer of said petition should not be granted.

*September 27, 1793.*

### Chapter 45.

RESOLVE ON THE QUESTION OF THE SUABILITY OF A STATE.

Whereas a decision has been had in the Supreme Judicial Court of the United States that a State may be sued in the said Court by a Citizen of another State, which decision appears to have been grounded on the second section of the third article in the Constitution of the United States :

*Resolved* that a power claimed or which may be claimed,

\* Not signed by the governor.

† Not printed in previous editions. Taken from court record.

of compelling a State to be made defendant in any Court of the United States at the suit of an individual or individuals is, in the opinion of this Legislature, unnecessary & inexpedient, and in it's exercise dangerous to the peace safety and independence of the several States and repugnant to the first principles of a federal Government—Therefore

*Resolved* that the Senators from this State in the Congress of the United States be, and they hereby are instructed, and the Representatives requested to adopt the most speedy and effectual measures in their power to obtain such amendments in the Constitution of the United States as will remove any clause or article of the said Constitution which can be construed to imply or justify a decision that a State is compellable to answer in any suit by an individual or individuals in any Court of the United States—And his Excellency the Governor is hereby requested to communicate the foregoing resolves to the Supreme Executives of the several States, to be submitted to the consideration of their respective Legislatures.

*September 27, 1793.\**

### Chapter 45A.†

#### ORDER ON THE PETITION OF SETH HASTINGS.

On the petition of Seth Hastings praying that the Judge of Probate for the County of Middlesex may be empowered to appoint Commissioners to examine his claim on the estate of Ephraim Jackson late of Newton deceased.

*Ordered* that the petitioner notify the Administrator on said Jackson's estate, by serving him with an attested copy of the petition aforesaid and of this order thereon, fourteen days at least before the second Wednesday of the next sitting of the General Court that he may appear on the said Wednesday, and shew cause if any he has why the prayer of said petition may not be granted.

*September 28, 1793.*

### Chapter 46.

#### RESOLVE GRANTING £.15 6 TO THOMAS GREEN.

*Resolved* that there be allowed & paid out of the public Treasury of this Commonwealth to Thomas Green, assist-

\* Approved September 27, 1793.

† Not printed in previous editions. Taken from court record.

ant Clerk in the Senate Fifteen pounds six shillings, in full for his services the last & the present Sessions of the Genl. Court.

*September 28, 1793.*

### Chapter 47.

RESOLVE GRANTING £.16 TO THE CLERKS OF THE SENATE AND HOUSE.

*Resolved*, that there be allowed & paid out of the public Treasury to Samuel Cooper Esq. Clerk of the Senate sixteen Pounds, & to Henry Warren Esq. Clerk of the House of Representatives sixteen Pounds on account of their services as Clerks aforesaid the present year they to be accountable for the same respectively — And the Governor is requested to draw his warrant on the Treasury accordingly.

*September 28, 1793.*

### Chapter 48.

RESOLVE GRANTING £.150 TO ROBERT WILLIAMS, PAYMASTER AND AGENT TO THE LATE 4TH MASSACHUSETTS REGIMENT.

On the Petition of Robert Williams late Paymaster and Agent of the 4th Regiment of the Massachusetts line, praying further compensation for his services.

*Resolved* that there be allowed and paid out of the Public Treasury of this Commonwealth to the said Robert Williams the sum of one hundred and fifty pounds, which with the sum of one hundred and twenty pounds heretofore received by the said Petitioner, shall be considered as a full compensation for the services of said Agent; and his Excellency the Governor with the advice of Council is hereby requested to draw his Warrant on the Treasury for the same sum.

*September 28, 1793.*

### Chapter 49.

RESOLVE ON THE PETITION OF MARK ADAMS.

On the Petition of Mark Adams in behalf of the Town of Kittery. *Resolved* for reasons set forth in said Petition, that the term of nine Months be allowed to the town of Kittery, to collect and pay the sum of one hundred & sixty pounds into the Treasury of this Commonwealth being the deficiency of a former Collector, and the Treasurer is hereby directed to stay execution against said Town accordingly.

*September 20, 1793.*

**Chapter 50.**

## RESOLVE ON THE PETITION OF JAMES WILDER.

On the Petition of James Wilder Representing, that on the 17th day of April A D 1791, he was in possession of a Note Issued by the late Treasurer Gardner, bearing date Jany. 1st 1778 for the sum of sixty Pounds payable to Samuel Denny or order, one years Interest paid thereon, which note, he testifies was consumed by fire on the aforesaid 17th day of April.

*Resolved* that the Treasurer of this Commonwealth be and he hereby is authorised and directed to Issue a Consolledated note for the value of the princple and Interest due on the one above described, in favour of the said James Wilder, he giving bonds to the Treasurer with sufficient sureties to endemnify the Commonwealth, in case the original note should be presented for payment.

*September 20, 1793.\**

**Chapter 51.**

## RESOLVE FOR PREVENTING THE SPREADING THE INFECTIOUS DISORDER PREVALENT IN THE CITY OF PHILADELPHIA, REQUESTING HIS EXCELLENCY TO ISSUE A PROCLAMATION.

Whereas a dangerous & infectious disease prevails at this time in the city of Philadelphia, and it is highly expedient that effectual measures should be adopted to prevent its introduction within this Commonwealth :

*Resolved* that his Excellency the Governor be & hereby is requested to issue his proclamation requiring Sheriffs, & their Deputies, the Selectmen & Constables of the several towns in the State to take effectual measures agreeably to the laws in such case made & provided, to prevent the introduction or spreading the said Disease.

And whereas it may be found that the existing laws may [may] not be fully competent to justify the measures necessary to be adopted on the present alarming occasion :

*Resolved* that the Selectmen in the several towns be & hereby are authorized & empowered, by the appointment of a Health Officer, or otherwise as they shall judge proper to stop & examine any persons baggage, merchandize or other effects coming or supposed to be coming

\* Not signed by the governor.



into their towns respectively, from Philadelphia, or other place infected or supposed to be infected, & if it shall appear to the said Selectmen, or any Officer or Officers whom they shall appoint for this purpose that any danger of infection is to be apprehended from such persons effects baggage or merchandize, they the said Selectmen or the Officer or Officers as aforesaid are authorized to detain & remove such persons effects baggage or merchandize to such place or places of safety as they may think proper, in order that the same may be purified from infection, or to place any persons so coming, in such places and under such regulations & restrictions & for so long time as they may judge necessary for the public safety — and the said Selectmen are hereby authorized to adopt and execute such other means and methods as to them shall appear necessary to prevent the introduction or communication of the sd. disorder. And the Select men are hereby farther authorized & empowered to require & call in the assistance of any & all the inhabitants of their several towns, if necessary to carry, this resolution into full effect. And it shall be the duty of every citizen to afford his aid & assistance when thereto so required.

*And it is further resolved* that if any action or suit shall be instituted against any person for any matter or thing done by virtue of & in conformity to this resolution, he shall have a right to plead the general issue, & give the said resolution in evidence.

*And be it further resolved* that this resolution shall be in force untill the second Wednesday in February next, *provided always* that his Excellency the Gov. by & with the advice of Council is hereby authorized to suspend the same by proclamation before that time if in their opinion the public safety will admit thereof.

*September 21, 1793.*

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## Chapter 52.

### RESOLVE ON THE PETITION OF THE TOWN OF HAVERHILL.

On the petition of the town of Haverhill praying for reasons therein set forth the remission of the balances which stand charged in the books of the Treasurer of this Commonwealth to the said town, or the Collectors thereof, for taxes ordered to be assessed upon said town in the years 1771, 1772 & 1773.

*Resolved* that the prayer of said petition be so far granted, as that the said town, and the Collectors of taxes for the same, shall be discharged from the payment of the balances of taxes which stand charged as aforesaid, amounting in the whole to two hundred forty six pounds nine shillings and eleven pence on condition that the said town shall pay, or cause to be paid, to the Treasurer of this Commonwealth, the sum of eighty two pounds, three shillings and four pence, within six months from the time of passing this Resolve; & the said Treasurer is hereby directed to recall all executions and Warrants of distress, which may have been by him issued against said town, the Assessors or Collectors thereof, for the balances of taxes aforesaid, and not issue any other executions or Warrants of distress for the same, unless said town shall neglect to pay into the Treasury of this Commonwealth the sum last mentioned, within the time before limited for the payment thereof; and the Assessors of said town being thereto directed by the inhabitants thereof, at legal town meeting are hereby empowered to add the said last mentioned sum to their proportion of the last State tax, and assess the same therewith, on the polls and estates within the town of Haverhill, according to the rules prescribed to be observed in assessing that tax, to be certified to the Treasurer of the Commonwealth levied, collected, and payment thereof enforced according to the rules of law for certifying, levying, collecting and enforcing State taxes.

*September 26, 1793.\**

### Chapter 53.

RESOLVE ON THE PETITION OF EPHRAIM BULLARD AND OTHER SOLDIERS IN COL. CRAFTS'S REGIMENT.

On the petition of Ephraim Bullard, William McMillion Supply Clap & Isaac Adams non-commissioned officers in a Regt. of Artillery commanded by Colo. Thomas Crafts, praying for the depreciation of their wages.

*Resolved* that the Committee for methodizing accounts be & hereby are directed to make up & certify the balances due to Ephraim Bullard, William McMillion, Supply Clap & Isaac Adams for the depreciation of their wages to the time they were discharged, & his Excellency the Governor is requested to issue his warrant & the

Treasurer is directed to issue notes for the same in the same manner as other soldiers in said Regt. were made up & paid, any law or resolve to the contrary notwithstanding.

*September 25, 1793.\**

### Chapter 54.

ROLL, NO. 28.

The Committee on Accounts having examined the Accounts they now present — Report, There is due to the Towns & persons hereafter mentioned, the sums set to their respective names, which, if allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned.

JOSEPH HOSMER, *Per Order.*

#### *For Costs of Supporting the Poor of ye Commonwealth.*

To the Town of Attleborough for Supporting Thomas Sword and Phebe Rogers, from 11th Febr. 1792, to 26 Augt. 1793, and Docts. Bills in full . . . . .	£. s. d.
	42 10 4
To the Town of East Hampton for Supporting Saml. Green from Jany. 1st 1792, to April 3d, 1792, in full . . . . .	3 5 0
To John Fleet Junr. for Medician and Attendance on the States poor in the Alms House from the 15 May 1792 to 15 May 1793, by agreement with the overseers of the poor of ye Town of Boston . . . . .	120 0 0
To the Town of Greenfield for Supporting John McHind one of the States poor from the last day of Augt. 1792, to ye last day of Augt. 1793 . . . . .	13 0 0
To Jesse Houghton for Burying Strangers or Foreigners from March 4th 1793 to the 19th August 1793, inclusive . . . . .	12 19 2
To the Town of Lenox for Supporting Martha St. Johns from ye 1st March 1791, to ye first of March 1793, committed by order of both Houses . . . . .	20 16 0
To the Town of Mendon for Supporting John Hunts Family from January 6th 1792, to Sept. 6th 1793, including Docters Bills . . . . .	21 6 7
To the said Town of Mendon for Supporting Jane Rowen from 12 June 1792, to 4 Sept. 1793 in full . . . . .	11 18 0
To the Town of Marshfield for Supplies found for Peggy Mitchell up to ye 2d Sept. 1793 . . . . .	0 17 0
To the Same Town, for Short allowance in last Roll . . . . .	1 8 0
To the Town of Needham for Supporting Marshall Timson from 16 February 1792 to the 20 September 1793 in full . . . . .	10 7 6
To the Town of Pembroke for paying Doctr. Gad Hitchcock Junr. for Doctering Josiah Brand one of the States poor . . . . .	7 10 0

\* Not signed by the governor.

To the Town of Pittstown for Supporting Amme Clark a person Insane from January 1st to June 14th 1793, inclusive and for sundries of Clothing . . . . .	£. s. d.
	8 0 6
To ye Town of Shutesbury for Supporting Francis St. Clairs Family from 25 June 1792 to January 1st 1793, including Docters Bills . . . . .	10 5 3
To the Town of Shelburn for Supporting Selah Bate's Family from 23d May to the 12th of September 1793, including Docters Bills . . . . .	14 16 4
To Samuel Stratton for Boarding Easthar Pero from 1st Febr. 1792 to 1st Febr. 1793 . . . . .	7 2 0
To the Town of Taunton for Supporting and Nursing Alexr. Smith from ye 1st Novr. 1792 to ye 10 Sept. 1793, Doctering & funeral Charges . . . . .	15 18 0
To the Town of Uxbridge for Supporting Robert Campbells Family from Sept. 24th to Oct. 22d 1792 and Docters Bills in full . . . . .	5 0 0
To the Town of Williamstown for Supporting and Clothing Rachel Galusha & John Conradt Leonard from 1st June to 17 September 1793 . . . . .	10 17 0
To the Same Town for Supporting John Hampton a native of France in extreme Sickness from 10 June to 20 September 1793 . . . . .	9 0 0
To the Town of Freetown for Supporting Daniel Eldridges Family to 25 June 1793 being for two years Support . . . . .	31 4 0
To the Town of New Braintree for Short Allowance in Doctor Parcivel Halls Acct. in Roll No. 27 . . . . .	1 5 6
	<hr/>
	£.379 6 2

*Sheriff's Accounts.*

To Edmund Bridge for distributing Precepts and returning votes for Fedl. Representatives in full to the 17 June 1793 . . . . .	£. s. d.
	5 9 3

*Expences of Militia.*

To John S. Tyler D. A. G for his Services from February 28, to September 26th 1793 inclusive . . . . .	£. s. d.
	12 6 0
To John Peck Adj. first Regt. 1st Division of Militia for his Services from 10 April 1792 to 5 April 1793, inclusive . . . . .	10 7 6
To Samuel Prescott Adj. 2d Regt. 1st Brigade 8 Division Militia for his Services from 24 March to 30 September 1792 in full . . . . .	3 0 0
To Stephen Dewey for his Services as Adj. in the first Regt. 9 Division of Militia from 1st April 1792 to 16 Sept. 1793 . . . . .	5 19 0
	<hr/>
	£.31 12 6

*Printers Accounts.*

To Benjamin Larkin his Account for Sundry Books Stationary &c.	£. s. d.
	15 13 6
To Benjamin Titcomb Junr. for printing from 25 April to Sept. 23d 1793.	1 18 6
To J. R. Hutchins for Printing from February 19 to 20 September 1793 in full	7 9 0
To Benjamin Edes & Son for Printing to 26 Sept. 1793	3 0 0
	<hr/>
	£.28 1 0
	<hr/>

*Miscellaneous Accounts.*

To William Wedgery Esqr. for Services done by direction of the Treasurer	£. s. d.
	2 16 0
To Isaac Pierce in Balance of his account in full, and that he be discharged on the warrant drawn in his favour in Novr. 1792, for ye Sum of Eighteen pounds	8 10 6
To Thomas Walcot for making & Copying Rolls for the House of Representatives	1 0 0
To Hopetill Capen for an Iron Stove for the use of the House of Representatives	9 0 0
To Joseph Laughton for his Services in the Treasurers Office, as first Clerk from 23d March to 14 September 1793, and for two pounds five shillings, allowed by Resolve of the 28th March 1793	84 15 0
	<hr/>
	£.106 1 6
	<hr/>

*Amount of Roll.*

	£. s. d.
For Supporting ye poor of ye Commonwealth	379 6 2
Expence of Sheriffs	5 9 3
Expence of Militia	31 12 6
Expence of Printing	28 1 0
Expences Miscellaneous	106 1 6
	<hr/>
	£.550 10 5
	<hr/>

Read & accepted, and thereupon *Resolved* that there be allowed & paid out of the public Treasury of this Commonwealth, to the several Towns & Persons borne on this Roll the sums set against each respectively, amounting in the whole to Five hundred & fifty pounds ten shillings & five pence.

*September 27, 1793.*



# RESOLVES

OF THE

## GENERAL COURT OF THE COMMONWEALTH OF *MASSACHUSETTS*:

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUFFOLK*, ON WEDNESDAY THE TWENTY-NINTH DAY OF *MAY*, *ANNO DOMINI*, 1793; AND FROM THENCE CONTINUED BY ADJOURNMENT AND PROCLAMATION, TO WEDNESDAY, THE FIFTEENTH DAY OF *JANUARY* FOLLOWING.

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1793. — JANUARY SESSION.

### Chapter 1.

RESOLVE ON THE PETITION OF JOHN CODMAN AND SAMUEL DEXTER, JUN. ESQUIRES, EMPOWERING JOSEPH BLAKE, ESQ. AND OTHERS, TO EXECUTE A DEED OF THE LAND MENTIONED.

On the petition of John Codman and Samuel Dexter Junior Esqrs. Executors of the last Will and Testament of Chambers Russell late of Lincoln Esquire deceased, praying that the Executors of the last will of Gideon Baty late of Boston deceased may be authorized and empowered to convey to them a certain peice of land with the buildings thereon situate in Concord in the County of Middlesex.

*Resolved* that Joseph Blake Esquire and Thankful his wife and Thomas Whiting (the said Thankful and Thomas being Executors of the last will and Testament of the said Gideon Baty) be and they hereby are authorized and empowered to make and execute to the said Samuel and

John in their said Capacity a deed in fee simple of the Land and buildings aforesaid, being the same land and buildings which were taken by execution on a Judgment against Abijah Bond late of Concord deceased, in favour of said Executors of said Baty the benefit of which Judgment was purchased by said Russell deceased of said Executors; and said Executors of the Will of said Baty, are not empowered by Law to convey the said land and buildings. The said deed so to be made and executed to the said Samuel and John being acknowledged and recorded according to Law, to vest in the said Samuel and John Executors as aforesaid, the same title in the premises as if assigned and sett off to them in their said Capacity by Execution.

*January 18, 1794.\**

### Chapter 1A.†

RESOLVE AUTHORIZING THE ATTORNEY GENERAL TO DISCHARGE THE HEIR OF TIMOTHY NURSE FROM A CERTAIN PROSECUTION AND DEMAND.

On the Representation of the Attorney General, setting forth that a process is commenced against the heir of Timothy Nurse late of Barre in the County of Worcester wherein the Commonwealth demands seizen & possession of about one hundred & fifty Acres of Land said Demand arising from the Confiscation of the Estate of Nathaniel Hatch Esqr. a Conspirator to whom the same was mortgaged for about one hundred & sixty pounds And that the Heir appears & wishes to give security for the payment of the same exclusive of the Interest since the commencement of the late War.

*Resolved* that the Attorney General be and he is hereby authorized & impowered to discharge sd. Heir from the aforesaid prosecution and demand which Government has to the said Lands he the said Heir paying or securing to be paid to the Treasurer of this Commonwealth the principal sum due together with Interest on the same to the present time deducting only the Interest that arose during the time of the War with Great Britain & also paying the [and] Costs which have already arisen on said Prosecution.

*January 20, 1794.*

\* Approved January 20, 1794.

† Not printed in previous editions. Not signed by acting governor.

**Chapter 2.**

RESOLVE APPOINTING ISAAC THOMPSON, ESQ. ON THE COMMITTEE FOR PERAMBULATING AND SETTTLING THE BOUNDARY LINE BETWEEN LANDS OF THE MARSHPEE TRIBE OF INDIANS, IN THE ROOM OF SAMUEL SMITH, DECEASED.

Whereas it appears, from the representation of George Patridge Esqr., that by reason of the death of Samuel Smith, the committee appointed by a Resolution of the General Court of the 26th of March last, for perambulating & settling the boundary line between the lands of the Marshpee tribe of Indians, & the several Towns & Individuals adjoining the same, are unable to compleat the business of their commission :

*Resolved* that Isaac Thompson Esq. be, & he hereby is appointed on the committee aforesaid in the room of the said Samuel Smith deceased, and authorized in conjunction with George Patridge Esq. & Nathl. Hammond to do & perform all the business designated in the Resolution aforesaid.

*January 21, 1794.\**

**Chapter 2A.†**

ORDER ON THE PETITION OF ENOCH SAWYER AND OTHERS.

On the petition of Enoch Sawyer & others praying to be incorporated for the purpose of building a Bridge over Merrimack river, at a place called Swett's ferry in Haverhill.

*Ordered* that the petitioners notify all persons interested, to appear on the second Wednesday in February next, to shew cause if any they have, why the prayer of said petition should not be granted, by causing said petition, and this order thereon to be printed in the Centinel on Saturday next, and on the Wednesday next after; and also in the Newspaper printed in Haverhill on the Thursday of next week.

*January 21, 1794.*

**Chapter 3.**

RESOLVE ON THE PETITION OF MATTHEW MAHEW, GUARDIAN TO ABEL ABEL, AN INDIAN.

On the petition of Matthew Mahew gardian to Abel Abel an Indian praying for liberty to sell part of the real estate of the said Abel.

\* Approved January 22, 1794.

† Not printed in previous editions. Taken from court record.

*Resolved* that the said Matthew Mahew be and he hereby is authorized and empowered to sell at publick auction or private sale a peice of land belonging to the said Abel lying in a place called Abel's neck in the town of Chilmark in Dukes county and to execute a lawfull deed of the same also to pay the just debts of the said Abel out of the money ariseing from said sale and to put the overpluss if any there be on interest for his benefit and the said Matthew is to account with the Judge of Probate in said Dukes county for the proceeds of said sale who is authorized to make him reasonable allowance for his service.

January 22, 1794.\*

### Chapter 4.

#### RESOLVE ON THE PETITION OF JOSHUA OSGOOD, JUN.

On the Petition of Joshua Osgood jr. praying for the reversal of a Judgment recovered against him, by Josiah Abbot, before William Prescot Esq. one of the Justices of the Peace in and for the County of Essex on the Second Day of November, in the year of our Lord seventeen Hundred & eighty nine, on Default, for reasons Shewn.

*Resolved*, that the prayer of the said Petition be so far granted, that the said Judgment be and hereby is Rendered nul & Void. *Provided* the Said Joshua Osgood shall enter the Action, on which the said Judgment was rendered, at the next Court of Common-Pleas to be Holden at Ipswich in and for the said County of Essex on the first tuesday of April next; and give the said Josiah Abbot due notice of his Intention so to do, at least fourteen Days before the Setting of the said Court. — And the same Proceedings shall be had on the said Action in the said Court, as though it were Entered there in a due course of Law.

January 24, 1794.†

### Chapter 4A.‡

#### ORDER ON THE PETITION OF LEVI JACKSON AND OTHERS.

On the petition of Levi Jackson and others inhabitants of Paris praying to be incorporated into a Baptist Society.

*Ordered* that the petitioners notify the said town of

\* Approved January 22, 1794.

† Approved January 25, 1794.

‡ Not printed in previous editions. Taken from court record.

Paris to appear on the second Tuesday of the next session of the General Court by leaving an attested copy of the petition aforesaid with this order thereon with the town Clerk of said Paris thirty days at least before said day, that said town of Paris may then appear and shew cause if any they have why the prayer of said petition shall not be granted.

*January 24, 1794.*

### Chapter 5.

#### RESOLVE ON THE PETITION OF SARAH HALL.

On The Petition of Sarah Hall, of Providence in the State of Road-Ilande Administratrix on the Estate of Colo. Levi Hall, praying for Licence to make sale of certain real Estates situate in Mendon, in the County of Worcester, and in Marshfiel[d] in the County of Plymouth — for Reasons set forth in said petition —

*Resolved* that the prayer thereof be granted and that the Petitioner in her said Capacity, be and she is hereby fully, empowered to make sale of, and to make and execute a good & lawfull deed, or deeds, of a Farm of about seventy Acres, with a Dwelling house thereon situate & being in Mendon aforesaid and also of two small lotts of land of about Ten Acres each, with a small dwelling house on one of them lying in Marshfiel[d] aforesaid, belonging to the Estate of Colo. Levi Hall, deceased, she observing the rules and directions of the Law for the sale of real Estates, by executors & Administrators, she first giving bond to the Judge of Probate for the Counties of Worcester & Plymouth that the proceeds of the said Sales, shall be applied for the benefit of the Widow and Heirs of said Levi Hall, according to Law.

*January 23, 1794.\**

### Chapter 5A.†

#### ORDER ON THE PETITION OF ZENAS WINSLOW AND OTHERS.

On the petition of Zenas Winslow Amoz Parker and Ebenezer Newton Inhabitants of the Town of Hubbardston, praying to be united with certain Inhabitants of Barre and Gerry to form a School District.

*Ordered* That the Petitioners cause the Inhabitants of the Town of Hubbardston to be notified to appear on the

\* Approved January 25, 1794.

† Not printed in previous editions.



second Wednesday of the next session of the General Court to shew cause why the prayer of said petition should not be granted, said notification to be made by leaving an attested Copy of their petition with this order thereon with the Town Clerk or one of the Selectmen of sd. Town of Hubbardston thirty days at least before said second wednesday.

*January 23, 1794.*

### Chapter 6.

#### RESOLVE ON THE PETITION OF JONATHAN DUTTON.

On the Petition of Jonathan Dutton a private Soldier in Colo. Henry Jacksons Regiment praying for the remains of the Ballance due to the said Jonathan Dutton for his Services in said Regiment.

*Resolved* that John Deming Esqr. certify to the Governor and Council the pay or arrears of Pay due to the said Jonathan Dutton for his services as a private soldier in Colo. Henry Jacksons Regiment, and the Treasurer on receiving a warrant therefor is Directed to Issue his note or notes in the same way and manner as has been practised in paying other Soldiers.

*January 22, 1794.\**

### Chapter 6A.†

#### ORDER ON THE PETITION OF ASA GREELY AND OTHERS.

On the petition of Asa Greely and others.

*Ordered* that the petitioners notify the inhabitants of North Yarmouth by leaving an attested copy of their said petition with this order thereon with the town Clerk of said North Yarmouth at least thirty days before the second Thursday of the next session of the General Court, that they may then appear and shew cause if any they have why the prayer of said petition shall not be granted.

*January 24, 1794.*

### Chapter 7.

#### RESOLVE DIRECTING THE ATTORNEY GENERAL.

Whereas it appears to this Court that there is a balance due to this Commonwealth, from Joseph Otis esqr.

\* Approved January 23, 1794.

† Not printed in previous editions. Taken from court record.

for money he has received for the use of Government, which at present he is utterly unable [*to*] pay : Therefore

*resolved* that the Attorney General be and hereby is Directed not to commence any suit against the said Joseph Otis for the ballance due from him to this Commonwealth amounting to the sum of three Hundred & thirty four pounds eleven shillings & five pence till the further Order of the General Court.

*January 27, 1794.\**

### Chapter 7A.†

ORDER ON THE PETITION OF FREDERICK WILLIAM GEYER.

On the Petition of Frederick William Geyer praying that a mistake in a Judgment recovered in the court of common pleas in the county of Suffolk by him against the goods and Estate of Richard Church of New Bedford in the County of Bristol in the hands of Charles Church may be set right there being mistake in the same Judgment as to the addition of inhabitancy of the said Richard.

Thereupon *ordered* that the said Geyer notify the said Charles to appear on the fourth Wednesday of the present session [*of*] the general Court to Shew cause if any he has why the said mistake shall not be rectified and that the said Geyer serve him with an attested copy of his petition and this order within seven days from the passing thereof.

*January 23, 1794.*

### Chapter 7B.†

ORDER ON THE PETITION OF JOHN WESSON AND OTHERS.

On the Petition of John Wesson & others.

*Ordered* that the Petitioners Notify the said first Parrish in Reading by leaving an Attested Coppy of their Petition with this order thereon Thirty days before the Second Wednesday of the Next Session of the General Court, with the Clerk of said Parrish, that the said Parrish may then appear and Shew Cause if any they have why the prayer of said Petition shall not be granted.

*January 24, 1794.*

\* Approved January 27, 1794.

† Not printed in previous editions.

### Chapter 8.

#### RESOLVE ON THE PETITION OF JAMES BRIGGS.

On the Petition of James Briggs Praying that Thomas Barker Briggs & James Briggs Junior as they are Administrators on the estate of James Briggs the Third of Scituate in the County of Plymouth shipwright Deceased, may be Authorised & empowered to make & execute to the said James Briggs the Petitioner a deed of Sale of certain Salt Marsh mentioned in said Petition To the amount of Twenty Two pounds Ten shillings — according to the promise of the said deceased in his life time.

*Resolved* that the Prayer of the said Petition be granted, and that the said Thomas Barker Briggs & James Briggs Junr. administrators as afore said, be and they hereby are, fully Authorised & empowerd in their said Capacity to make & execute to the said James Briggs the Petitioner, a good & lawful Deed of sale, of Three Acres of Salt meadow at the Northerly end of the lot belonging to the heirs of said Deceased, which he purchased of James Rogers of Marshfield.

*January 27, 1794.\**

### Chapter 9.

#### RESOLVE ON THE PETITION OF WILLIAM WALKER.

On the Petition of William Walker administrator on the Estate of Micah Walker.

*Resolved* that John Deming Esqr. Certify to the Governor and council the pay or arrears of pay due to Micah Walker for his Services as a private soldier in Colo. Brooks's Regiment and the Treasurer on receiving a warrant therefor is hereby directed to Issue his note or notes to the said William Walker Administrator on the Estate of the said Micah Walker, in the same way and manner as has been Practiced in Paying other Soldiers for Similar Services.

*January 27, 1794.\**

### Chapter 9A.†

#### ORDER ON THE PETITION OF SAMUEL SPARHAWK.

On the petition of Samuel Sparhawk.

*Ordered* that the petitioner notify the inhabitants of the south Precinct in Cambridge by leaving an attested copy

\* Approved January 27, 1794.

† Not printed in previous editions. Taken from court record.

of said petition and this order thereon, with the Clerk of said precinct, at least ten days before the second Wednesday of the next session of the General Court, that said Precinct may then appear and shew cause, if any they have, why the prayer of said petition shall not be granted.

*January 27, 1794.*

### Chapter 10.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF ESSEX AND GRANTING A TAX.

Whereas the Treasurer of the County of Essex, has laid his Accounts before the General Court, in manner prescribed by Law, which accounts are hereby approved— And whereas the Clerk of the Court of General Sessions of the Peace for said County, has laid before the General Court, an estimate, made by the Court of General Sessions of the Peace of said County, of the necessary charges likely to arise within said County the present year, amounting to six hundred & twenty five pounds :

*Resolved*, that the sum of six hundred & twenty five pounds, be, and hereby is granted, as a tax for said County of Essex, to be apportioned, assessed, collected and applied for the purposes aforesaid, in manner agreeably to Law.

*January 29, 1794.\**

### Chapter 11.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF YORK AND GRANTING A TAX.

Whereas the Treasurer of the County of York, has laid his Accounts before the General Court, in manner prescribed by law ; which Accounts are hereby allowed — And whereas the Clerk of the General Sessions of the Peace for said County, has laid before the General Court, an estimate made by said Court of General Sessions of the peace, of the necessary charges likely to arise within said county the present year, amounting to four hundred and fifty pounds :

*Resolved* that the sum of Four hundred and fifty Pounds, be, and hereby is granted as a tax for said

\* Approved January 30, 1794.

County of York, to be apportioned, assessed, collected and applied for the purposes aforesaid, in manner as the law directs.

*January 30, 1794.\**

### Chapter 12.

RESOLVE ON THE PETITION OF THOMAS JOHNSON, ADMINISTRATOR TO THE ESTATE OF JOHN JOHNSON.

On the petition of Thomas Johnson Administrator to the Estate of John Johnson late a private in the Corps of invalids.

*Resolved* that John Deming Esqr. Certify to the Governor and council the pay or arrears of [of] pay due to John Johnson a private in the Corps of Invalids and the Treasurer on receiving a warrant therefor, is hereby directed to Issue his note or notes to the said Thomas Johnson Administrator on the Estate of John Johnson deceased in the same way and manner as has been Practiced in paying other Soldiers for Simelar Services.

*January 31, 1794.\**

### Chapter 12A.†

ORDER ON THE PETITION OF WILLIAM STANWOOD AND OTHERS.

On the petition of William Stanwood and others.

*Ordered* that the petitioners notify the inhabitants of the towns of Brunswick, Harpswell & Bath, by leaving an attested copy of said petition with this order thereon, with the Clerk of each of said towns respectively, thirty days at least before the second Thursday of the first session of the next General Court, that the inhabitants of said town, or any other person or persons interested in the premises, may then appear and shew cause if any they have, why the prayer of said petition shall not be granted.

*February 1, 1794.*

### Chapter 13.

RESOLVE ON THE PETITION OF DANIEL VOSE.

On the Petition of Daniel Vose of Milton, one of the Committee appointed in the year 1776 to build a Powder Mill in Stoughton, purchase Sulphur, Salt Petre &c. pray-

\* Approved January 31, 1794.

† Not printed in previous editions. Taken from court record.



ing for a settlement of all his Accounts respecting that service.

*Resolved* that there be allowed and paid out of the Treasury of this Common-wealth to said Daniel Vose, the sum of thirty pounds fourteen shillings & eleven pence half penny in full of all his demands.

*And be it further Resolved*, that Mr. Deming of the Committee for settling the public Accounts be and hereby is directed to discharge said Daniel Vose from the books of the Common-wealth, of the sum of seventy nine pounds thirteen shillings & two pence half penny, the balance of his Account of purchasing Sulphur, which he has now accounted for — also, that he be further discharged of one hundred & ninety one hundred & twenty three pounds of Sulphur, which was delivered at the Powder Mill in Stoughton in 1776, for the use of the Common-wealth.

*February 1, 1794.\**

### Chapter 14.

RESOLVE ON THE PETITION OF THE INHABITANTS OF THE PLANTATION OF BRIDGETON.

On the Petition of the Inhabitants of the plantation of Bridgeton in the County of Cumberland, praying for the abatement of their taxes. *Resolved* for reasons set forth in said petition, that the said plantation, be, and hereby are abated all the taxes set on said plantation. *Provided* they shall pay into the Treasury of this Comonwealth, the sum of one hundred pounds on or before the first day of Jany. 1795.

*February 1, 1794.†*

### Chapter 15.

RESOLVE MAKING FURTHER PROVISION RESPECTING UNCLAIMED BALANCES.

Whereas it appears necessary to make some further provision to prevent frauds in purchasing & obtaining payment of the balances for pay & depreciation of Officers & Soldiers of this States line of the late Continental Army, now placed in the Army Books at the Treasury :

*Resolved* that no person applying for any such balance shall be entitled to receive the same unless he produce a Certificate from the major part of the Selectmen of the

\* Approved February 3, 1794.

† Approved February 5, 1794.

town or some Justice of the peace of the County where he belongs that he is the person whose name he assumes. And no such balance shall be paid to any person applying as Attorney to the Officer or Soldier claiming any such balance, unless such power shall express the sum due to such Officer or Soldier & be acknowledged before some Justice of the peace by the Constituent & be accompanied with such Certificate as is before mentioned.

*February 1, 1794.\**

### Chapter 15A.†

ORDER ON THE PETITION OF WILLIAM McENTOSH AND OTHERS.

On the Petition of William McEntosh, Robert Fuller & Amos Fuller Jur. a Committee for and in behalf of the first Parish of the Town of Needham Praying for liberty to make sale of Certain Lands Situate in Said Parish in Said Towns, appropriated to the Public Use of supporting the Gospel Ministry in said Town.

*Ordered* that the Petitioners notify the Second Parish of said Town of Needham by leaving an attested Copy of said Petition and this order thereon with the Clerk of said Second Parish in the Town of Needham thirty days before the second Wednesday of the next session of the Genl. Court that said Second Parish may then Appear and Shew Cause if any they have why the Prayer of said Petition shall not be Granted.

*February 1, 1794.*

### Chapter 16.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF MIDDLESEX.

Whereas the Treasurer of the County of Middlesex, has laid his Accounts before the General Court, in manner prescribed by law; which Accounts are hereby allowed except the sum of Six pounds nineteen shillings, & the further sum of Six pounds, paid James Winthrop Esq. Register of Probate. And whereas the Clerk of the General Sessions of the peace, for the said County, has laid before the General Court, an estimate made by said Court of General Sessions of the peace, of the necessary charges

\* Approved February 3, 1794.

† Not printed in previous editions.

likely to arise within said county the present year, amounting to nine hundred pounds :

*Resolved* that the sum of Nine hundred pounds, be, and hereby is granted as a tax for said County of [of ] Middlesex, to be apportioned, assessed, collected and applied for the purposes aforesaid in manner as the Law directs.

*February 1, 1794.\**

### Chapter 17.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF BARNSTABLE.

Whereas the Treasurer for the County of Barnstable, has laid his Accounts before the General Court in manner prescribed by law, which Accounts are hereby allowed — and whereas the Clerk of the General Sessions of the peace for said County, has laid before the General Court an estimate made by said Court of General Sessions of the peace, of the necessary Charges likely to arise within said County for the present year, amounting to two hundred pounds :

*Resolved*, that the sum of Two hundred pounds, be, and hereby is granted, as a Tax for said County of Barnstable, to be apportioned, Assessed, collected and applied in manner agreeable to law, for the purposes aforesaid.

*February 1, 1794.\**

### Chapter 17A.†

ORDER ON THE PETITION OF THE INHABITANTS OF THE FIRST PARISH OF THE TOWN OF BRADFORD.

On the petition of the inhabitants of the first parish in the town of Bradford praying to be incorporated into a town.

*Ordered* that the petitioners notify the town of Bradford by serving the Clerk of said town with an attested copy of their said petition and this order, thirty days at least before the third Wednesday of the first session of the next General Court, that they may appear on the said day, and shew cause, if any they have why the prayer of their said petition should not be granted.

*February 3, 1794.*

\* Approved February 1, 1794.

† Not printed in previous editions. Taken from court record.

## Chapter 18.

RESOLVE ON THE PETITION OF DAVID THOMPSON.

On the Petition of David Thompson praying for an addition to his Annual Stipend of Ten pounds.

*Resolved* for Reasons set forth in his Petition that there be & hereby is granted to sd. David Thompson an Additional Sum of Forty shillings, making his Annual Stipend, in future to be twelve pounds, & to be paid in the same manner as has been usuall.

February 3, 1794.\*

## Chapter 19.

RESOLVE ON THE PETITION OF WILLIAM PERKINS.

Upon the Petition of William Perkins commanding officer of the Garrison at Castle Island, praying to be relieved from a Judgement recovered against him for wood furnished him for five years in his said Capacity by William Salisbury. *Resolved* that there be allowed & paid out of the Treasury of this Comonwealth to William Salisbury late issuing Commissary at Castle Island the sum of fifty seven Pounds nine shillings & nine pence in full of his Demand against the said William Perkins for extra Wood furnished him at said Garrison from the 2d. of Novr. 1785 to March 31, 1791. *Provided* that the said Salisbury shall release to said Perkins all Demands on account of Wood supplied as aforesaid.

February 4, 1794.†

## Chapter 20.

RESOLVE ON THE PETITION OF SAMUEL GATES.

On the Petition of Samuel Gates, Praying that John Green Junr. Admr. on the Estate of Martha Holbrook late of Worcester in the County of Worcester Spinster Decd. be impowered to make Conveyance of about thirteen Acres of Land Situate in Worcester aforesaid, lying in Common and undivided with the Heirs of Abel Holbrook late of said Worcester Deceased.

*Resolved* for Reasons set forth in said Petition, That the said John Green Junr. Admr. as aforesaid, be, and he is hereby authorized and impowered, to make and execute

\* Approved February 3, 1794.

† Approved February 6, 1794.

to the said Samuel Gates a Deed of ye aforesaid thirteen Acres of Land, which Shall be good & valid to all intents and purposes, to convey the Same, as if it had been made and duely executed by ye said Martha in her lifetime.

*February 5, 1794.\**

### Chapter 21.

RESOLVE ON THE PETITION OF THE TOWN OF LIMMINGTON.

On the Petition of the Inhabitants of the Town of Limmington, praying for the Abatement of Sundry Taxes Levied on that Town prior to the Year 1791.

*Resolved* for reasons set forth in said Petition That the prayer of said Petitioners be so far Granted That the Treasurer of this Commonwealth be, & he is hereby Directed to Discharge the said Town of Limmington, from the Sum of One Hundred & ninety seven Pound, ten shillings & ten pence, being a Tax Assessed on said Town of Limmington formerly called Little Ossipee in the Year 1785, in Tax No. (5) — And that, the said Town of Limington be Directed to pay Into the Treasury of said Commonwealth, on or before the first Day of January next the sum of Ninety Three pound, fifteen shillings and six pence, It being the amount of the several Taxes Assessed on said Town of Limington, in No. 6, No. 7, No. 8 & No. 9 Taxes — And that the Selectmen or Assessors of said Town, be & hereby are Directed to make Return of the Assessment thereof to the Treasurer of this Commonwealth, on or before the last Day of June next — In Maner prescribed by Law.

*February 5, 1794.†*

### Chapter 22.

RESOLVE ON THE PETITION OF RUTH GAY, EMPOWERING HER TO APPOINT AN AGENT TO DEMAND CERTAIN RENTS.

On the Petition of Ruth Gay praying that some person may be appointed to demand & receive the rent due on Certain real Estate, formely belonging to Martin Gay which was granted to her for the support of herself & family by a Resolve passed Jany. 13, 1780.

*Resolved* that the petitioner Ruth Gay, be & she hereby is authorized & empowered to appoint an agent or attorney at her expence to demand & receive all such sums of

\* Approved February 5, 1794.

† Approved February 7, 1794.



money as may be due for the rent of such real Estate of Martin Gay aforesaid, as was confiscated to the use of Government, and which accrued before the sale of the said Estate—the said Ruth Gay rendering an account to the Judge of Probate for the County of Suffolk of the sums she may so receive.

*February 5, 1794.\**

### Chapter 23.

RESOLVE MAKING ADDITION TO THE WAGES OF JAMES FOSTER, JUN.

Upon the Petition of James Foster Junr. — Stating that he was allowed by the Court of the last year extra pay for his services as a Clerk in the Treasury Office — that no provision was made for the continuance thereof — & praying for such an allowance for his subsequent services in that capacity, as may be reasonable.

*Resolved* that there be allowed to James Foster Junr. for his services as Clerk in the Treasury Office — two shillings *p* day, in addition to eight shillings *p* day (the common establishment for Clerks in the Secretary's & Treasurer's Offices) from & after — 2d day of July 1792.

*February 5, 1794.†*

### Chapter 24.

RESOLVE ON THE PETITION OF ENOCH GREENWOOD.

On the Petition of Enoch Greenwood a Soldier in the Continental Army taken Prison[er] at Fort-Washington November 16, 1776 and detained Prisoner on board a Prison Ship at New York untill the 6th of January 1777 Praying for his Wages during his Captivity and Milage home which have never been paid him.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to the said Enoch Greenwood the sum of five pounds Eight Shillings in full for his Services in the Continental Army — in the late War.

*February 6, 1794.†*

### Chapter 25.

RESOLVE ON THE PETITION OF JAMES WITHERELL.

On the Petition of James Witherell, Collector of Taxes for the Town of Lebanon for the years 1779 & 1780

\* This resolve not signed.

† Approved February 5, 1794.

‡ Approved February 7, 1794.

praying that the Town of Lebanon may be credited for the Sum of Eight hundred & nineteen pounds Eleven shillings old Continental Currency, which ought to have been passed to his Credit agreeable to a former Resolve of the General Court of March 3d 1786.

*Resolved* that the prayer of said Petition be so far granted that the Treasurer of the Commonwealth be & hereby is directed to Credit the Town of Lebanon fifty two pounds ten shillings & Six pence on the first tax for 1779 being the sum short credited for a payment made by the said James Witherell July 17th 1780.

*February 5, 1794.\**

### Chapter 25A.†

#### ORDER ON THE PETITION OF SUNDRY INHABITANTS OF THE TOWN OF WARREN.

On the Petition of the Selectmen & other Inhabitants of the Town of Warren.

*Ordered* that the Petitioners Cause an attested copy of their Petition with this order thereon, to be Published two weeks Successively in the Gazettee of Main; and Eastern Herald Printed in Portland in the district of Main Eight weeks, before the Second Wednesday of the first Session of the next General Court; that any Persons interested May then Appear, and Shew cause, if any they have why the Prayer of Said Petition Should not be granted.

*February 6, 1794.*

### Chapter 26.

#### RESOLVE ON THE PETITION OF EBENEZER BORDWELL AND ABIGAIL BORDWELL.

On the petition of Ebenezer Bordwell & Abigail Bord-[man][*well*] of Shelburn in the County of Hampshire, Administrators on the Estate of Enoch Bordwell late of said Shelburn deceased praying to be impowered to make a Deed of a piece of Land to Israel Jones.

*Resolved*, that Ebenezer Bordwell and Abigail Bordwell in their said capacity as Administrators on the Estate of Enoch Bordwell be & they hereby are impowered to make and execute a good and sufficient Deed to Israel Jones of Sixteen Acres of Land, lying within the Township of Shelburn, being the Easterly end of Lots number

\* Approved February 6, 1794.

† Not printed in previous editions.

Thirty Eight & Thirty Nine in the south half so called of said Shelburn, and to extend from the East line of said Lots the whole width thereof so far as that a line across the same parrallel with said East line will contain Sixteen Acres — They Observing the Law respecting Executors & Adminstrators.

*February 7, 1794.\**

### Chapter 27.

RESOLVE ON THE PETITION OF JAMES ALLEN.

On the Petition of James Allen late a Soldier in Colo. Vorse's Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said James Allen a private Soldier in Colo. Vorse's Regiment and the Treasr. on receiving a warrant therefor is directed to Issue his note or notes to the said James Allen in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

*February 7, 1794.†*

### Chapter 28.

RESOLVE ON THE PETITION OF JOHN MORSE ADMINISTRATOR ON THE ESTATE OF PRINCE BACHELDER.

On the Petition of John Morse Administrator on the Estate of Prince Bachelder late a private Soldier in Colo. Sprout's Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said Prince Bachelder late a private soldier in Colo. Sprouts Regiment, and the Treasurer on receiving a Warrant therefor is directed to Issue his note or notes to the said John Morse Administrator on the Estate of Prince Bachelder in the same way and manner as has been practiced in paying other soldiers for Simelar Services.

*February 7, 1794.†*

### Chapter 28A.†

ORDER ON THE PETITION OF ZEBULON GOSS AND OTHERS.

On the petition of Zebulon Goss & others praying to be set off from the town of Upton and annexed, to the town of Mendon.

\* Approved February 10, 1794.

† Approved February 7, 1794.

† Not printed in previous editions. Taken from court record.

*Ordered* that the petitioners notify the town of Upton by leaving an attested copy of their petition and this order thereon, with the town Clerk of said Upton thirty days at least before the second Tuesday of the next setting of the General Court, that they may appear on said day and shew cause, if any they have, why the prayer of the said petition should not be granted. *February 7, 1794.*

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### Chapter 29.

#### RESOLVE ON THE PETITION OF ABRAHAM WASHBURN.

On the Petition of Abraham Washburn a Soldier in Colo. Nixon's Regiment in the Late Continental Army Praying that he may be allowed the wages due to him for his Services.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to the said Abraham Washburn for his Services as a private Soldier in Colo. Nixon's Regt. and the Treasurer on receiving a Warrant is hereby directed to Issue his note or notes to the said Abraham Washburn in the same way and Manner as has been practiced in paying other Soldiers for Simelar Services. *February 7, 1794.\**

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### Chapter 30.

#### RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BIDDEFORD.

On the Petition of the Selectmen of the Town of Biddeford. *Resolved* for reasons sett forth in the said Petition, That ye Treasurer of the Comonwealth be, & he is hereby directed to receive of ye Selectmen of ye Town of Biddeford, the Sum of two hundred & thirty one pounds, ten shillings & two pence in Specie, & to discharge ye said Town of Biddeford, of the Sum of three hundred & fifty one pounds seventeen shillings & four pence, deficient upon Tax No. 5, committed to Benjamin Nasson, & William Merch constables of said Town: *Provided* that ye sd. Selectmen shall pay ye first mentioned Sum on or before ye first day of July next.

*February 7, 1794.†*

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\* Approved February 7, 1794.

† Approved February 10, 1794.

### Chapter 31.

RESOLVE ON THE PETITION OF ABAGAIL BABBDIGE, GRANT TO.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to Abigail Babbidge the sum of nineteen pounds sixteen shillings being in full for wages due to Benja. Babbidge for services rendered this Commonwealth as appears from a Certificate of Tristram Coffin lodged with the late board of War the said Benja. having authorised & impowered said Abigail to recieve the same.

*February 7, 1794.\**

### Chapter 31A.†

ORDER ON THE PETITION OF JOHN MILLERD AND OTHERS.

On the Petition of John Millerd and others Praying to be incorporated into a Parish.

*Ordered* that the Petitioners notify the Towns of Middleborough and Rochester by leaving an Attested Copy of their Petition and this order thereon with the Respective Clerks of the aforesaid Towns thirty days at least before the second Tuesday of the next seting of the General Court that they may appear on said day and Shew cause if any they have why the Prayer of said Petition Should not be granted.

*February 7, 1794.*

### Chapter 32.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BUXTON, ESTABLISHING A LINE.

Persuant to a Resolve of the General Court of the Commonwealth of Massachusetts, passed March 27 1793. —

On the Petition of the Select Men of the Town of Buxton, We your Committee have Notified the Select Men of Gorham, Buxton & Standish each of whom were present with their witnesses, at the Moniments mentioned in said Resolve or on the spots where the moniments were said to stand, and after fully hearing the said Selectmen & their witnesses respecting the matter We proceeded to run from where the Hemlock stood, North thirty three & three quarters of a degree West as the magnet now directs, On the third mile from said hemlock, Capt. Samuel Harding's house is six rod laking five links West thirty four degrees

\* Approved February 7, 1794.

† Not printed in previous editions.



South; At three mile and a half Samuel Warren's house is two rod & twenty two links East fifty six degrees North measuring from the highest part of said house; On the seventh mile Capt. Asa Whitney's house is four rods & fifteen links East fifty six degrees North; a little more than seven Mile is David Davis's house twenty seven feet on the Westerly side and at right angles; and at the end of seven Mile one hundred & nine rod is the corner of Gorham where stands a black Ash tree marked with the letter G on the Easterly side and B on the Westerly side (the Firr tree being dead) We continued on the same Course one mile ninety one rod to the North Westerly corner of Buxton where the Beach mentioned in said Resolve, is said to have stood, where we erected a pile of Stones a large one being at the bottom, which is on the South East side of the highest land between Casco Bay & Saco River; & we have staked & marked the whole distance, all which is humbly submitted.

JEDH. PRESCOTT  
DUMR. SEWALL  
JOHN MERRILL

BUXTON Octr. 11 1793

Read & accepted & thereupon *Resolved* that the line as run by said Committee between the said town of Buxton & Gorham be established as the dividing line between those towns & also that the same line as continued to the Northwest Corner of Buxton aforesaid be established as the dividing line between said Buxton & said Standish to the said Northwest corner of Buxton.

*February 7, 1794.\**

### Chapter 33.

RESOLVE ON THE PETITION OF THE REV. ZACHARIAH MAYHEW, AUTHORIZING HIM TO USE SIX POUNDS AND TO MAKE THE APPLICATION AS MENTIONED.

On the Petition of the Revd. Zachariah Mayhew.

*Resolved* that the prayer of said Petition be so far granted, that the said Zachariah Mayhew be and hereby is authorized, to use six pounds lawful money, out of the principal sum of the money he now has in his hands, belonging to Samuel Umpany & his Wife indians; the same

\* Approved February 10, 1794.

to be applied to the support of the said Samuel & his Wife in their present aged & infirm State.

*February 7, 1794.\**

### Chapter 33A.†

ORDER ON THE PETITION OF BENJAMIN CAMPBELL & OTHERS.

On the petition of Benjamin Campbell & others.

*Ordered* that the petitioners notify the town of Egremont by leaving an attested copy of their petition & this order thereon with the Clerk of sd. Town thirty days at least before the second Tuesday of the next sitting of the next General Court that they may then appear & shew cause if any they have why the prayer of said petition should not be granted.

*February 7, 1794.*

### Chapter 34.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNT FOR THE COUNTY OF HAMPSHIRE AND GRANTING A TAX.

Whereas the Treasurer of the County of Hampshire, has laid his Accounts before the General Court in manner prescribed by law — which Accounts are hereby allowed — and whereas the Clerk of the General Sessions of the peace for said County, has laid before the General Court, an estimate made by said Court of General Sessions of the peace, of the necessary charges likely to arise within said County the present year, amounting to eight hundred pounds :

*Resolved*, that the sum of Eight hundred pounds, be, and hereby is granted as a Tax for said County of Hampshire, to be apportioned, assessed, collected, and applied in manner agreeable to law, for the purposes aforementioned.

*February 6, 1794.‡*

### Chapter 35.

RESOLVE ON THE PETITION OF JOSEPH CHANDLER, AUTHORIZING THE TREASURER TO ISSUE THREE NOTES IN LIEU OF NOTES FORGED.

On the Petition of Joseph Chandler Praying for thirty Seven Pounds thirteen Shillings and nine pence which was drawn by William Tucker with a forged order.

\* Approved February 8, 1794.

† Not printed in previous editions.

‡ Approved February 7, 1794.

*Resolved*, that the Treasurer of this Commonwealth be and he hereby is Authorised and Directed to Issue to Joseph Chandler three State Notes of the amount of thirty Seven pounds thirteen Shillings and nine pence in the Same way and manner as he would have done provided Said Notes had not been drawn by a forged order.

*February 7, 1794.\**

### Chapter 36.

RESOLVE ON THE PETITION OF THE INHABITANTS OF THE PLANTATION OF OTISFIELD, DIRECTING THE TREASURER TO CREDIT £.90, WITH A PROVISIO.

On the Petition of the Inhabitants of the Plantation of Otisfield in the County of Cumberland Praying for an Abatement of Taxes.

*Resolved*, for Reasons set forth in Said Petition that the Treasurer of this Commonwealth be and he hereby is Directed to Credit the Said Plantation of Otisfield with the Sum of Ninety Pounds being the Sum Assessed on Said Plantation in Tax No. 5. *Provided* that the Said Plantation shall pay the Remaining Taxes laid on Said Plantation amounting to the Sum of fifty three pounds Seven Shillings & nine pence within one year from the Date of this Resolve.

*February 7, 1794.†*

### Chapter 37.

RESOLVE ON THE PETITION OF JESSE WARNER, IN BEHALF OF JOSEPH MANSFIELD, DIRECTING JOHN DEMING, ESQ. TO CERTIFY THE BALLANCE DUE TO HIM.

On the Petition of Joseph Mansfield late a private Soldier in Colo. Sprouts Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said Joseph Mansfield for his services as a private Soldier in Colo. Sprouts Regiment and the Treasurer on Receiving a warrant therefor is directed to Issue his note or notes to the said Joseph Mansfield in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

*February 7, 1794.\**

\* Approved February 7, 1794.

† Approved February 10, 1794.

## Chapter 37A.\*

## ORDER ON THE PETITION OF THOMAS PAGAN.

On the petition of Thomas Pagan an Indian man, setting forth that he has been at great expence in supporting his mother in her last sickness — and that his proportion of the lands belonging to the Dudley Indians has been set off to him for sixteen years past, & has been rented out for at least four pounds a year — and that he has never received any thing therefor from said gardians.

*Ordered* that the petitioner Thomas Pagan Notify the gardians of the Dudley Indians aforesaid to appear on the second Wednesday of the first session of the next general court by serveing them with an attested copy of his petition and this order thereon, thirty days at least before the said second Wednesday, to shew cause if any they may have why they should not pay him his proportion of the rent aforesaid.

*February 7, 1794.*

## Chapter 38.

## RESOLVE ON THE PETITION OF ELISHA TURNER, DIRECTING JOHN DEMING, TO CERTIFY HIS BALANCE.

On the Petition of Elisha Turner a private soldier in Colo. Marshall's Regiment.

*Resolved* that John Deming, Esqr. Certify to the Governor and Council the pay or arrears of Pay due to the said Elisha Turner a private soldier in Colo. Marshall's Regiment and the Treasurer on receiving a warrant therefor is hereby directed to Issue his note or notes to the said Elisha Turner, in the same way and manner as has been practiced in Paying other Soldiers for Similar Services.

*February 7, 1794.†*

## Chapter 39.

## RESOLVE ON THE PETITION OF PHINEHAS POMROY, GRANTING HIM £.40 FOR LOSSES HE SUSTAINED BY A WOUND.

On the Petition of Phinehas Pomroy, praying that he may receive compensation for losses sustained by a wound he received by the bursting of a Soldier's musket in the Company of which he was then an Ensign.

\* Not printed in previous editions.

† Approved February 10, 1794.

*Resolved*, For Reasons set forth in his Petition that there be allowed and paid out of the Treasury of this Commonwealth to the said Phinehas Pomroy the sum of forty pounds in full compensation for losses he sustained by the wound he received.

*February 7, 1794.\**

### Chapter 40.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF LENOX, CONSIDERING CHRISTIAN CROW AS ONE OF THE STATE'S POOR, AND ALLOWING ACCOUNTS FOR HIS MAINTENANCE.

On the petition of the Selectmen of the town of Lenox.

*Resolved* for reasons set forth in said petition that the Selectmen of said town be & hereby are allowed to lay their accounts for the support & maintenance of one Christian Crow a foreigner before the Committee on Accounts, & the said Committee are hereby directed to examine & pass such Accounts so far as shall appear to them just & reasonable.

*February 10, 1794.†*

### Chapter 41.

RESOLVE ON THE PETITION OF THE SELECTMEN OF GEORGETOWN, DIRECTING THE PAYMENT INTO THE TREASURY OF £.201 16, ON OR BEFORE THE 1ST DAY OF JANUARY NEXT; THE TREASURER TO DISCHARGE SAID TOWN FROM THE BALANCE NOW DUE.

On the petition of the Select Men of Georgetown.

*Resolved* for reasons set forth in said petition, that Provided the Town of Georgetown pay[ing] into the Treasury of this Commonwealth Two hundred & one pounds sixteen shillings on or before the first day of January next the Treasurer is hereby Authorised and directed to discharge said Town of Georgetown from the ballance now due on the New Emission tax of four hundred & Thirty pounds Ten shillings & 4d.

*February 7, 1794.‡*

### Chapter 42.

RESOLVE ON THE PETITION OF JOHN PICKET, JUN. DIRECTING THE TREASURER TO DISCHARGE HIS BALANCE.

On the petition of John Picket Jun. on behalf of the Town of Sandisfield to have liberty to pay the balance of

\* Approved February 8, 1794.

† Approved February 12, 1794.

‡ Approved February 10, 1794.



Twelve pounds thirteen shillings & ten pence due from said Town according to the Value of paper in the year 1781.

*Resolved* for reasons given in said petition that the prayer of the petition be granted & that the Treasurer be directed to discharge said Balance on receiving from the petitioner the Sum of One pound Sixteen Shillings.

*February 10, 1794.\**

### Chapter 43.

RESOLVE ON THE PETITION OF LEVI CLAP, GRANT TO.

On the Petition of Levi Clap.

*Resolved* that there be allowed and paid out of the public treasur[y] of this Commonwealth to the said Levi Clap two pounds two Shilings in full for his gun and other articles mentioned in his petition, which he lost in the public Service in the year 1787. *February 10, 1794.\**

### Chapter 44.

RESOLVE ON THE PETITION OF DERICK HOLEMBECK, RELINQUISHING THE INTEREST ON A CERTAIN BOND, WITH A PROVISIO.

On the petition of Derick Holembeck praying that a part of the interest accrued on a bond made & executed by him as surety for & with James Sexton & Frederick Sexton to Harrison Gray Esqr. late treasurer of the late province of the Massachusetts Bay bearing date the 22d of May A D 1772 — conditioned for the payment of Sixteen pounds, Sixteen shillings & interest by the 26 day of April then next, be relinquished and forbearance granted him for payment of the principal & the residue of the said interest accrued on said bond — for reasons set forth in said petition.

*Resolved* that the interest which has Accrued on said bond since the 26th day of April A D 1779 — be & hereby is relinquished to the said Derick Holembeck; *provided* that the said Derick shall pay the principal due on said Bond and the interest which accrued thereon untill the said 26th day of April A D 1779 — in one year from the passing this resolve into the treasury of this Commonwealth — And the treasurer is hereby authorised & di-

rected upon the payment of the principal & interest due on said bond (saveing the interest hereby relinquished) into the treasury, within three months from the passing this resolve, to cancel said bond. *February 10, 1794.\**

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### Chapter 45.

RESOLVE ON THE PETITION OF ASA ALLEN, DIRECTING THE TREASURER TO ISSUE A NOTE FOR £4 7 8, IN LIEU OF A NOTE PAYABLE TO HANNAH KITTERIDGE.

On the petition of Asa Allen of Andover in the County of Essex.

*Resolved* that the Treasurer of the Commonwealth be and he hereby is directed to issue a note payable to said Asa Allen or order for the sum of four pounds seven shillings & eight pence to bear date the first day of May A D 1787, in lieu of and of the same tenor with a Note of that date, payable to Hannah Kitteridge, upon the said Asa's delivering to the said Treasurer said Note payable to said Hannah which appears to have been altered before it came into the hands of the said Asa Allen and who has prosecuted the person to conviction who altered the same.

*February 13, 1794.†*

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### Chapter 45A.†

ORDER ON THE PETITION OF EBENEZER HALL AND OTHERS.

On the petition of Ebenezer Hall and others praying to be incorporated for the purpose of converting Mystic Bridge into a draw Bridge.

*Ordered* that the petitioners notify all persons who may be interested therein by publishing an attested copy of said petition, and this order thereon, in the Independent Chronicle three weeks successively previous to the second Wednesday of the first Session of the next general Court, then to appear and shew cause, if any they have, why the prayer of said petitioners should not be granted.

*February 13, 1794.*

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### Chapter 46.

RESOLVE ON THE PETITION OF THE TOWN OF LOUDEN, ABATING TAXES.

On the Petition of the Committee in behalf of the Town of Loudon praying for the abatement of certain Taxes.

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\* Approved February 10, 1794.

† Approved February 14, 1794.

‡ Not printed in previous editions. Taken from court record.

*Resolved* For reasons set forth in their Petition That there be Abated to the Town of Loudon the sum of One Hundred and forty five pounds four shillings & 3d. due from said Town to the Commonwealth on Tax No. 5 and that the Treasurer is hereby directed to discharge said Town from the afore said sum. *February 13, 1794.\**

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### Chapter 46A.†

RESOLVE ON THE PETITION OF JOSIAS NOTTAGE, GRANTING HIM £75.

On the petition of Josias Nottage praying further compensation for building a Wharf at Rainsford's Island.

*Resolved* that there be allowed and paid out of the Treasury of this Common-wealth, to the said Josias Nottage, the sum of Seventy five pounds, which together with the sums already paid him, shall be in full for that service. *February 14, 1794.‡*

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### Chapter 46B.§

ORDER ON THE PETITION OF THE AGENTS OF THE PROPRIETORS OF THE MIDDLESEX CANAL.

On the petition of the Agents of the Proprietors of the Middlesex Canal.

*Ordered* that the petitioners publish an attested copy of their petition, and this order thereon in the independent Chronicle three weeks successively in order that any person may appear on the second Wednesday of the first session of the next General Court, to shew cause if any he has why the prayer of said petition should not be granted, the last publication to be before the first day of May next. *February 14, 1794.*

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### Chapter 47.

RESOLVE ON THE PETITION OF BAILY BARTLETT, ESQ. TO LAY HIS ACCOUNT BEFORE THE COMMITTEE ON ACCOUNTS FOR EXAMINATION.

On the Petition of Baily Bartlet, Esqr. sheriff for the County of Essex.

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\* Approved February 13, 1794.

† This resolve given no chapter number in pamphlet edition.

‡ Approved February 14, 1794.

§ Not printed in previous editions. Taken from court record.

*Resolved* that the prayer of the Petition be so far Granted that the said Baily Bartlett have Leave to Lay his account before the Committee on accounts who are hereby Authorised to Examine and allow the same, or so much thereof as they may think Just and Reasonable any Law to the Contrary notwithstanding.

*February 17, 1794.\**

### Chapter 48.

RESOLVE ON THE PETITION OF OLIVER HARWOOD; GRANT TO.

On the Petition of Oliver Harwood a Soldier in the service of the United States, in Colo. Tuppers Regiment, praying for seventeen months wages while he was a Prisoner in Canada, for which he has recd. no pay.

*Resolved*, That there be paid out of the Treasury of this Commonwealth to the said Harwood, in full of his said wages, the sum of Twenty five pounds and Ten shillings, and that the Governor with the advice of Council be, and he hereby is requested, to draw his warrant on the Treasurer for the same.

*February 15, 1794.\**

### Chapter 48A.†

ORDER ON THE PETITION OF EZEKIEL BROWN AND OTHERS.

On the petition of Ezekiel Brown and others, inhabitants of a certain gore of land adjoining the County of Worcester known by the name of Middlesex, praying to be annexed to the town of Dudley and Sturbridge.

*Ordered* that for reasons set forth in said petition, that the prayer thereof be so far granted, that the petitioners be directed to notify the inhabitants of the towns of Sturbridge and Dudley, by serving them with an attested copy of their petition, and this order thereon, fourteen days at least before the first sitting of the next General Court, to appear on the second Wednesday of the same, and shew cause if any they have, why the prayer thereof should not be granted.

*February 15, 1794.*

### Chapter 48B.†

ORDER ON THE PETITION OF JOHN MERRILL AND OTHERS.

On the petition of John Merrill & others praying to be incorporated into a parish.

\* Approved February 17, 1794.

† Not printed in previous editions. Taken from court record.

*Ordered* that the petitioners notify the town of Topsham by leaving an attested copy of their petition and this order thereon with the town Clerk of said Topsham thirty days at least before the second Wednesday of the next setting of the General Court, that they may then appear & shew cause if any they have, why the prayer thereof should not be granted. *February 15, 1794.*

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### Chapter 49.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF PROVINCETOWN, IN THE COUNTY OF BARNSTABLE, DIRECTING THE TREASURER TO DISCHARGE SAID TOWN OF £9 18 4.

On the petition of the Selectmen of the Town of Province Town in the County of Barnstable praying to be discharg'd from a Tax assess'd on them in June last, for reasons set forth in said petition.

*Resolved* That the Treasurer of the Commonwealth be, & he hereby is directed to discharge the said Town of Province Town of the sum of nine pounds, eighteen shillings & four pence, being a Tax assess'd on said Town in June last. *February 14, 1794.\**

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### Chapter 50.

RESOLVE ON THE PETITION OF THE SELECTMEN OF BARNSTABLE, DIRECTING THE TREASURER TO CREDIT SAID TOWN WITH THE SUM OF £200.

On the Petition of the Select men of the Town of Barnstable.

*Resolved* that the Treasurer of this Common Wealth be and is hereby Directed to Credit said Town of Barnstable the sum of two hundred Pounds Charged against said Town by mistake supposed to have been received on the Roll for six months men in the year one thousand seven hundred & eighty. *February 14, 1794.\**

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### Chapter 50A.†

ORDER ON THE PETITION OF THE INHABITANTS OF BAKERS-TOWN.

On the petition of a number of the Inhabitants of the plantation (Called Bakers Town) in the County of Cum-

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\* Approved February 17, 1794.

† Not printed in previous editions.



berland praying that the said Plantation may be Incorporated into a Town.

*Ordered*, that, the Said Petitioners Notefy the Inhabitants of the Plantation aforsd. by Serving the Clerk of Said Plantation with an attested Copy of their Said petition, and this Order, thirty days at least, before the Second Wednesday, of the first Session of the next General Court, that they may appear on the Said day and shew Caus[e] (if any the[y] have) why the prayr. of their said Petition may not be Granted. *February 15, 1794.*

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### Chapter 51.

RESOLVE ON THE PETITION OF FREDERICK WILLIAM GEYER.

On the Petition of Frederick William Geyer of Boston in the county of Suffolk merchant setting forth that he and Nathan Frazier at a court of common pleas holden at Boston within and for the county of Suffolk on the third Tuesday of April 1792 recovered Judgment against the Estate of Richard Church late of New bedford in the county of Bristol deceased in the hands of Charles Church his Executor for the sum of two hundred and twenty four pounds ten shillings and two pence and that the said Richard was in the proceedings called late of New Bedford when in fact he was of Rochester in the County of Plymouth and praying that the court of common pleas may be authorized to correct the mistake.

*Resolved* that the Justices of the court of common pleas to be holden at Boston within and for the County of Suffolk on the third Tuesday of April next be and they hereby are authorized to order the Clerk of the same Court to issue an Execution upon the Judgment aforesaid against the goods and Estate of the said Richard calling and stiling him in the same Execution, Richard Church late of Rochester in the County of Plymouth deceased any misnomer in the original writ in said suit to the contrary notwithstanding. *February 18, 1794.\**

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### Chapter 52.

RESOLVE ON THE PETITION OF JONATHAN SHED, GRANTING HIM £50.

On the Petition of Jona. Shed.

*Resolved*, That there be allowed & paid out of the Treasury of this Commonwealth to Jonathan Shed the sum of

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\* Approved February 19, 1794.

fifty pounds, to be in full for the Expences of Doctors, nursing and loss of time occasioned by a grievous wound the said Jonathan recieved on the Eight day of October 1788 at a Regimental Muster in the County of Middlesex while in the discharge of his duty as an Ensign which appears from a number of certificates to that purpose.

*February 18, 1794.\**

### Chapter 53.

RESOLVE AUTHORIZING THE SUPREME JUDICIAL COURT, WHENEVER A JUDGMENT OF CONFISCATION BY THE ACT FOR CONFISCATING ABSENTEES' ESTATES BE QUESTIONED, TO ADMIT OTHERWISE THAN BY RECORD, EVIDENCE OF THE ISSUING SERVICE AND RETURN OF THE NOTIFICATIONS REQUIRED BY SAID ACT.

Whereas Notifications are required by an Act entitiled an Act for confiscating the Estates of certain persons commonly called Absentees, & the same may have been duly issued and served, but may afterwards have been accidentally lost or mislaid, by which Judgments of confiscation render'd on said Act may be endangered :

*Resolved* That whenever a Judgment of confiscation on said Act shall be questioned in the Supreme Judicial Court by writ of Error, or otherwise, for failure of the record of the issuing service, and return of the notification required in said Act, the said Court shall be & hereby are authorized and empowered to admit otherwise than by the record, evidence of the issuing service and return of the Notifications aforesaid, and proof of the same being made by Evidence out of the record to the satisfaction of said Court, shall be as valid and effectual to all intents & purposes in support of the Judgment questioned as aforesaid, as if appearing by record.

*February 18, 1794.\**

### Chapter 54.

RESOLVE ESTABLISHING THE PAY OF THE LIEUTENANT GOVERNOR, FOR THE TIME BEING, WHEN THE CHAIR OF THE GOVERNOR IS VACANT.

*Resolved*, That His Honor the Lieutenant Governor for the time being, whenever the chair of the Governor shall be vacant, is during such vacancy entitiled to have & re-

\* Approved February 18, 1794.

ceive out of the Treasury of this Commonwealth so much money in addition to his salary as Lieutenant Governor as shall in the whole amount to the sum established by Law as the Salary of the Governor of this Commonwealth.

*February 17, 1794.\**

### Chapter 55.

RESOLVE ALTERING THE TIME FOR THE SETTING OF THE COURTS OF COMMON PLEAS AND GENERAL SESSIONS OF THE PEACE, IN THE COUNTY OF CUMBERLAND; SECRETARY DIRECTED.

Whereas the courts of Common pleas & Genl. Sessions of the peace are by law to be holden at Portland within & for the County of Cumberland on the last tuesday of May next, and whereas the business of those courts has become so accumulated as to render the appointment of them at an earlier day, necessary: Therefore

*Resolved* that the Courts of Common pleas & Genl. Sessions of the peace, which by law should be holden at said Portland within & for said County of Cumberland on the last tuesday of May next, be, and the same are hereby ordered and appointed to be holden at said Portland within & for said County of Cumberland, on the last tuesday of April next and all actions suits prosecutions & recognizances now pending, & all precepts processes & recognizances returnable to, and all appeals, made to either of said Courts appointed by law to be holden at Portland as aforesaid; and all matters causes & things that might have had day, or that might have been moved or done at, in or by said Courts or either of them, at the time by law appointed for holding the Same, shall be returnable to, & may be entered, prosecuted, had, moved and done at, in & by the said Courts at the time hereby appointed for holding the Same — And the Secretary is hereby directed to publish this Resolve three weeks Successively in the Gazette of Maine and also forthwith to transmit an attested Copy thereof to the Sheriff of said County of Cumberland.

*February 18, 1794.\**

\* Approved February 18, 1794.

### Chapter 56.

RESOLVE ESTABLISHING THE PAY OF THE MEMBERS OF THE GENERAL COURT AND ALLOWING EXTRA PAY TO THE PRESIDENT AND SPEAKER.

*Resolved* that there be allowed and paid out of the treasury of this Commonwealth to Each member of the Council and Senate, and Each member of the house of Representatives nine Shillings per Day, for Each Days attendance the present Session, and a like Sum for Evry ten miles travel from there Respe[c]tive places of abode to the place of the Sitting of the general Court.

And it is further *Resolved* that there be paid to the president of the Senate, and the Speaker of the house of Representatives Six Shillings per Day Each for Each Days attendance over and above their pay as members.

*February 17, 1794.\**

### Chapter 57.

RESOLVE DIRECTING THE ATTORNEY-GENERAL TO ATTEND BEFORE THE SUPREME JUDICIAL COURT TO DEFEND THE COMMONWEALTH IN AN ACTION BROUGHT BY THE HEIRS OF ELIAKIM HUTCHINSON, AN ABSENTEE.

*Resolved* That the Attorney General be & he hereby is directed to attend before the Supreme Judicial Court, to defend an Action commenced by the Heirs of the Estate of Eliakim Hutchinson, an Absentee to procure a reversal of a Judgment of Confiscation against the Estate of said Hutchinson.

*February 18, 1794.\**

### Chapter 58.

RESOLVE ALLOWING ACCOUNTS OF TREASURER FOR THE COUNTY OF WORCESTER, AND GRANTING A TAX OF £900.

Whereas the Treasurer of the County of Worcester, has laid his Accounts before the General Court, in manner prescribed by Law, which Accounts are hereby approved — And whereas the Clerk of the General Sessions of the peace for said County, has laid before the General Court, an estimate made by said Court of General Sessions of the Peace, of the necessary charges likely to arise within said County for the present year — amounting

\* Approved February 18, 1794.

to Eight hundred pounds — also a further sum of one hundred pounds, for the sole purpose of opening and making a Road in the Town of Fitchburg in said County :

*Resolved* that the sum of nine hundred pounds be and hereby is granted as a Tax for said County of Worcester, to be apportioned, assessed, collected, and applied in manner agreeably to law for the purposes aforesaid.

*February 18, 1794.\**

### Chapter 59.

RESOLVE ON THE PETITION OF THE TRUSTEES OF FRYBURGH ACADEMY, AUTHORISING THE COMMITTEE FOR THE SALE OF EASTERN LANDS, TO DISPOSE OF PLEASANT MOUNTAIN SO CALLED, FOR CERTAIN PURPOSES.

*Resolved*, That the Committee (or Major part of them) for the Sale of Eastern lands be, and they are hereby authorised & empowered, to make sale of Pleasant Mountain so called, and all other lands and Ponds contiguous thereto, and not included in the lands appropriated for the purpose of the said Academy, and not heretofore disposed of by the said Committee; to the Trustees of Fryburg Academy; for such sum as they shall judge to be an equivalent for the said Mountain & Ponds, in case the said Trustees shall apply therefor any time within two years from the passing this Resolve. *February 19, 1794.†*

### Chapter 60.

RESOLVE ON THE PETITION OF DR. AMOS PUTNAM.

On the petition of Dr. Amos Putnam praying for an allowance of his account for attendance and medicines to sick and wounded Soldiers in the late war with Great Britain.

*Resolved* that there be allowed and paid out of the Treasury of the Commonwealth to Dr. Amos Putnam the sum of eighteen pounds in full for his services medicines, &c. as stated in his account exhibited with his said petition to sundry officers and soldiers in the public service from April 1775 to the year 1781. *February 20, 1794.‡*

\* Approved February 18, 1794.

† Approved February 19, 1794.

‡ This resolve not signed.



### Chapter 61.

RESOLVE ON THE PETITION OF BARNABAS BIDWELL, SAMUEL AND WILLIAM WHITING, DIRECTING THE TREASURER TO DISCOUNT WITH THE ADMINISTRATORS OF THE ESTATE MENTIONED, THE SUM OF £.7 2.

On the petition of Barnabas Bidwell, Samuel Whiting & William Whiting Administrators on the Estate of William Whiting late of Great Barrington in the County of Berkshire Esquire praying for a Remission of a fine Assessed on said Deceased, by the Supreme Judicial Court also for a further sum of Seven pounds Two Shillings said Deceased Stands charged to the Commonwealth also for a Compensation for the Service of said Deceased in Conveying public Monies from Boston & from Great Barrington to General Schyler at Albany in 1776.

*Resolved* that the Prayer of the Petition be so far Granted that the Treasurer of this Commonwealth be and he hereby is directed to allow and discount with the said Administrators in their Settlement with the Commonwealth in behalf of said deceased the sum of Seven pounds Two Shillings in full for Said Deceased's Services in Conveying monies to General Schyler as aforesaid.

*February 17, 1794.\**

### Chapter 62.

RESOLVE ON THE PETITION OF SAMUEL SMITH, IN BEHALF OF PRINCE GORHAM, DIRECTING THE TREASURER TO CREDIT THE SAID PRINCE GORHAM, WITH THE SUM OF £.7 4.

On the petition of Samuel Smith in behalf of Prince Gorham. *Resolved*, that the Treasurer of this Commonwealth be and he hereby is authorized and directed to credit the said Prince the sum of seven pounds & four shillings, with which he stands charged on the books of the Treasury as Naval Officer for the Port of Barnstable in the year 1786.

*February 17, 1794.\**

### Chapter 63.

RESOLVE ON THE PETITION OF THE SELECTMEN AND ASSESSORS OF THE TOWN OF BOOTH BAY, REMITTING A FINE LAID ON SAID TOWN.

On the petition of the Select-men & Assessors of the town of Booth bay praying that the sum of Nineteen

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\* Approved February 18, 1794.

pounds, being a fine laid on the town aforesaid by the house of Representatives of this Commonwealth in their session of February A D 1789 for said towns neglecting to send a Representative to the General Court in the year 1788, may be remitted — For reasons set forth in said petition.

*Resolved* that the prayer thereof be & hereby is granted — That the said fine be & hereby is remitted and that the treasurer of the Common-wealth be & hereby is directed to govern himself Accordingly — *Provided* that said Town of Booth-bay shall be holden to pay any legal expence or cost which hath arisen or accrued in the prosecution for said fine, the resolve aforesaid notwithstanding.

*February 19, 1794.\**

### Chapter 64.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF WINDSOR, DIRECTING THE TREASURER TO CREDIT SAID TOWN WITH THE SUM OF £.123 12 11, ON THE NEW EMISSION TAX.

On the petition of the Selectmen of the Town of Windsor in the County of Berkshire, praying to be discharged from a Tax remaining against that Town on a New Emission Tax, setting forth the same to have been paid to the late Sheriff of that County, on an Execution issued by the Treasurer of this Commonwealth.

*Resolved* That the Prayer of the said petition be so far granted that the Treasurer of this Commonwealth be & he hereby is directed to credit the said Town of Windsor the sum of one hundred & twenty three pounds, twelve shillings & eleven pence on the New Emission Tax, upon being possessed of a receipt given by Caleb Hyde late Sheriff of the County of Berkshire to Levi Walker for the sum aforesaid.

*February 19, 1794.†*

### Chapter 65.

RESOLVE ON THE PETITION OF BENJAMIN ALLEN, IN BEHALF OF ANN GARDNER.

On the Petition of Benjamin Allen in behalf of Ann Gardner.

*Resolved* That John Deming esq. Certify to the Governor and Council the pay due to the heirs of Thomas

\* Approved February 19, 1794.

† Approved February 21, 1794.

Gardner Deceasd. a soldier in Colo. Bradfords Regiment, Capt. Turners Company : & the Treasurer on receiving a warrant therefor is Directed to issue his note : for the sum so certified, to Ann : Gardner Widow, of the said Thomas Gardner.

February 18, 1794.\*

ANSWER TO THE LIEUTENANT GOVERNOR'S SPEECH.

*To His Honor Samuel Adams, Lieutt. Governor of the Commonwealth of Massachusetts,*

SIR, As it has pleased the supreme ruler of the Universe to remove our Late Governor from this life, since our last session, The two branches of the Legislature conceive it a duty, they owe their constituents, to express their highest respect for the great & eminent services which he has rendered his Country.

With you, Sir, and our fellow citizens throughout the Commonwealth, we most sincerely sympathize on this melancholy event. The public & private virtues, which have distinguished this illustrious patriot, his early exertions in the cause of freedom & the rights of man, the wisdom & magnanimity which he has discovered, during a long & arduous conflict for the liberties of his Country, together with a constant adherence to the principles of the constitution, furnish a splendid example for the imitation of his fellow citizens, & must endear the name of HANCOCK to the most remote posterity.

In this instance of public affliction, we derive a consolation, that it has pleased God to continue the life & usefulness of his Co-Patriot; from whose known attachment to the public welfare, we anticipate the most disinterested & faithful discharge of those duties which by the Constitution are devolved on the Lieut. Governor.

“That all men are born free & equal in rights,” is a principle on which all just & legitimate Governments are founded. On this basis rests the Constitution of this & the United States; and we are happy to observe, this great & fundamental principle, embraced by enlightened politicians, & made the basis of Government for Millions beyond the Atlantic. To the influence of this benign principle & a wise administration of Government we attribute the present state of peace & prosperity with which the United States are blessed, while so many other

\* Approved February 20, 1794.

nations are involved in the misery & calamities of war: Nor can we refrain from expressing our affections for that nation who assisted us in the time of our adversity, and with whom we are in alliance; and our sincere wishes that they may succeed in the defence of their Country, and in the establishment of peace and good government founded, on the principles of liberty and the rights of Man.

We fully join with your honor in the sentiment of the indispensable necessity of the Education of Youth: and every encouragement will continue to be given to this most interesting object which its importance demands.

To any communications, you may be pleased to make, & to the dispatch of the more important public business, due attention will be paid that your honor may be enabled to discharge the trust reposed in you by the Constitution, & that the public weal may be best promoted.

*February 19, 1794.*

### Chapter 66.

RESOLVE ON THE PETITION OF HENRY KNOX AND OTHERS, HEIRS AND REPRESENTATIVES OF HEIRS OF BRIGADIER WALDO, DECEASED.

On the petition of Henry Knox and others, heirs and representatives of heirs of Brigadier Waldo decd. setting forth that certain taxes have been assessed by the General Court on the Muscongus or Waldo patent, since the year 1786 — that the said patent is held in three principal divisions, to wit, the Linconshire Company or twenty associates so called; the Company of the ten original proprietors, and the heirs of said Waldo, on whom there are many subordinate claims — and that the taxes designed for the whole patent are assessed on the said heirs, notwithstanding, they are in possession of not much more than one third thereof; and praying for relief.

*Resolved* that all further measures for collecting and enforcing the payment of said taxes be suspended until the third Wednesday of the next setting of the General Court; and the Treasurer of the Commonwealth, and all others concerned are required to govern themselves accordingly. And the petitioners are hereby required to leave with the respective clerks of the said companies attested copies of their said petition and this resolve thereon, four weeks previous to the same third Wednes-

day, notifying the said companies to appear on that day, and shew cause, if any they have, why they should not be holden to pay their Just proportions of the aforesaid taxes.

*February 18, 1794.\**

### Chapter 67.

RESOLVE ON THE PETITION OF JEREMIAH HALL, COLLECTOR OF EXCISE FOR THE COUNTY OF PLYMOUTH.

Upon the petition of Jeremiah Hall of Pembroke Collector of Excise for the County of Plimouth for the years 1783 & 1784.

*Resolved*, for the reasons set forth in said Petition that upon payment of fifty pounds into the public treasury within six months with Costs the Treasurer of the Commonwealth be and hereby is directed to release and discharge a Judgment recoverd in favour of the Commonwealth against the said Jeremiah Hall and Robert Barker his bondsman at the last Court of Common pleas holden at Boston in & for the County of Suffolk for the sum of about two hundred & twenty one pounds & three shillings & Costs, and that in the mean time Execution be stayed.

*February 20, 1794.†*

### Chapter 68.

RESOLVE ON THE PETITION OF EDWARD BARNES, IN BEHALF OF THE TOWN OF MARLBOROUGH.

On the Petition of Edward Barns, in Behalf of the Inhabitants of the Town of Marlborough praying for a Remission of twenty nine pounds, four shillings and two pence, which appears to be now due from sd. Town, on a certain Tax, commonly called New Emission Tax.

*Resolved*, for reasons set forth in sd. Petition, that the prayer thereof be so far granted, that *provided* the sd. Town of Marlborough shall pay into the Treasury of this Commonwealth the sum of thirteen pounds fourteen shillings & ten pence, in specie by ye first day of December next, that the Treasurer shall receive the sd. Sum in full Discharge of ye Balance of sd. Tax, and shall Discharge sd. Town therefrom.

*February 24, 1794.‡*

\* Approved February 19, 1794.

† Approved February 21, 1794.

‡ Approved February 24, 1794.



**Chapter 68A.\***

ORDER ON THE PETITION OF DANIEL AVERILL AND OTHERS.

On the petition of Daniel Averill &amp; others.

*Ordered* that the petitioners notify the adverse party by serving him with an attested copy of their petition & this order thereon four weeks at least before the third Wednesday of the next Session of the General Court, to appear on the said day & shew cause, if any they have why the prayer of the said petition should not be granted.

*February 20, 1794.*

**Chapter 69.**

RESOLVE ON THE PETITION OF ELISHA CARPENTER.

On the Petition of Elisha Carpenter Father to Zebulon Carpenter late a private Soldier in Colo. Vose's Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of pay due to the said Zebulon Carpenter late a private Soldier in Colo. Voses Regiment, and the Treasurer on receiving a warrant therefor is directed to Issue his note or notes to the said Elisha Carpenter, Father of the said Zebulon Carpenter a miner deceased in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

*February 21, 1794.†*

**Chapter 70.**

RESOLVE ON THE PETITION OF WILLIAM STEDMAN.

On the petition of William Stedman of Hebron praying that Simon Jackson administrator on the Estate of Alexander Shephard Junr. Late of Newton Deceased may be a[u]thorized to Make and Execute a Certain Deed of Conveyance of land to the petitioner agreeable to the Bond Executed by the Deceased in his Life time to the said William.

*Resolved* that said Simon Jackson in his said Capacity be and he is hereby fully a[u]thorized and Impowered to make and Execute a good and Lawfull Deed of the Lands De[s]cribed in the Covenant and Engagement made by the

\* Not printed in previous editions.

† Approved February 24, 1794.

said Deceased in his Life time to the said petitioners and the Deed so to be made when Executed shall be as good & valid to all Intents and purposes as if made by the said Deceased in his Life time. *February 24, 1794.\**

### Chapter 71.

RESOLVE ON THE PETITION OF THE TOWN OF WESTFIELD.

On the Petition of the Town of Westfield Praying for an Abatement of the Sum of One hundred & Seventy Nine pounds fifteen Shillings & Eleven pence being the Dificiency of Taxes that ought to have been paid by Reuben Williams a Collector of Taxes for sd. Town in the year 1780.

*Resolved* for Reasons set forth in said Petition that in Case the Inhabitants of sd. Town on or before the first Day of Jany. Next pay into the Tre[a]sury of this Commonwealth the Sum of One hundred & three pounds Nineteen shillings & Eleven pence the Tre[a]surer is Directed to Receive the same in full for sd. William's Dificiency & Discharge the Town accordingly. *February 24, 1794.†*

### Chapter 71A.†

ORDER ON THE PETITION OF ELI HAMMOND AND SILAS FREEMAN.

On the petition of Eli Hammond & Silas Freeman.

*Ordered* that the said Eli and Silas notify the towns of Sheffield and New Marlborough by leaving an attested copy of their petition, and this order thereon, with the respective Clerks of the said towns, thirty days at least before the second Tuesday of the next setting of the next General Court that they may appear on said day and shew cause if any they have why the prayer thereof should not be granted. *February 24, 1794.*

### Chapter 72.

RESOLVE GRANTING A TAX ON THE COUNTY OF HANCOCK.

Whereas the Treasurer of the County of Hancock has laid his Account before the General Court, of the expenditure of all the monies heretofore granted by this Court,

\* Approved February 24, 1794.

† Approved February 25, 1794.

‡ Not printed in previous editions. Taken from court record.

and raised by a Tax on the Inhabitants of said County, and there appears to be a balance remaining due from said County of one hundred & ninety nine pounds eleven shillings & ten pence — And whereas the Clerk of the Court of General Sessions of the peace for said County, has laid before the General Court, an estimate made by said Court of General Sessions of the peace, of the necessary charges likely to arise within said County for the present year, amounting to six hundred & Seventy five pounds :

*Resolved* that the sum of Six hundred pounds be and hereby is granted, as a Tax for said County of Hancock to be apportioned, assessed, collected and applied in manner agreeable to law for the purposes aforementioned, any law or Resolve to the contrary notwithstanding.

*February 26, 1794.\**

### Chapter 73.

RESOLVE ON THE MEMORIAL OF THOMAS HALE, JR., ESQ. IN BEHALF OF THE TOWN OF BROOKFIELD, GRANTING £.31 12 9 FOR PROCURING BLANKETS, IN 1777.

On the memorial of Thomas Hale junr. Esq. on behalf of the town of Brookfield.

Whereas it appears that the said town of Brookfield have been obliged to repay into the Treasury of this Commonwealth the sum of thirty one pounds twelve shillings and nine pence, being the consolidated value of one hundred and sixteen dollars in paper money which the selectmen of the said town received on the twenty fifth day of March *Anno Domini* 1777 of William Page the money of said Commonwealth, for the purpose of procuring blankets for the late American army. And whereas it further appears that the said Selectmen did actually apply said money to said purpose and deliver the blankets procured to the proper officer agreeable to their trust: Therefore

*Resolved* That there be repaid to the said town of Brookfield out of the Treasury of this Commonwealth the aforesaid sum of £.31, 12, 9 in full of their claims in the premises.

*February 26, 1794.\**

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\* Approved February 26, 1794.

**Chapter 74.**

RESOLVE MAKING AN ADDITIONAL GRANT TO THE JUDGES  
OF THE SUPREME JUDICIAL COURT.

In consideration of the enhanced price of the necessary articles of life & of the consequent additional expence to the Justices of the Supreme Judicial Court of this Commonwealth in the discharge of their duty,

*Resolved*, that there be allowed & paid out of the public treasury, to each of the sd. Justices the sum of fifty Pounds for their services & expences during the year 1793 & the like sum for the year 1794 in addition to their stated salaries.

*February 26, 1794.\**

**Chapter 75.**

RESOLVE ON THE PETITION OF RICHARD WHITAKER, DIS-  
CHARGING AN EXECUTION.

On the Petition of Richard Whitaker of Rehoboth in the County of Bristol praying to be remitted the Sum of One Hundred Pounds committed to him to Collect for the year 1781 for which Sum Execution has issued by Thomas Davis Esqr. Treasurer of the Commonwealth of Massachusetts against him the said Whitaker.

*Resolved* that the petitioner be discharged from the above Execution on paying the Sum of Twenty five pounds with costs of suit to the Treasurer of the Commonwealth.

*February 25, 1794.\**

**Chapter 76.**

RESOLVE DIRECTING THE TREASURER TO TAKE POSSESSION  
OF A DWELLING-HOUSE, THE PROPERTY OF THE WIFE OF  
DANIEL LEONARD, AN ABSENTEE.

Whereas it appears by a Resolve of the General Court passed the tenth of march, 1791, that this Commonwealth Did Relase and Quit Clame to william Phillips till the first Day of June, 1794 the Rents and Profits of a certain Dwelling hous in the town of Boston, the Property of the wife of Daniel Leonard an absentee, the Profits of which were Confiscated and Belong to this Commonwealth During the Life of Said Daniel — and it Being nesessary that Some Person Shuld be authorised to take Prosession

\* Approved February 26, 1794.

of the Primises on the first Day of June, 1794 and improve the Same for the Benefit of this Commonwealth :

*Resolved* that the Treasurer of this Commonwealth be impowred and Directed to take Prosession of the above mentioned Dweling Hous on the first Day of June, Next and Rent the Same for the most it will fetch, and account to this Commonwealth for the neet Proceeds of the Same.

*February 26, 1794.\**

### Chapter 76A.†

ORDER ON THE PETITION OF JOSIAH PARMENTER AND OTHERS.

On the petition of Josiah Parmenter and others.

*Ordered* that the petitioners notify the town of Northfield by leaving an attested copy of their petition, and of this order thereon with the town Clerk of said Northfield thirty days at least before the third Wednesday of the next setting of the General Court, that they may then appear and shew cause, if any they have, why the prayer thereof should not be granted.

*February 25, 1794.*

### Chapter 77.

RESOLVE GRANTING £.90 TO JOSEPH BOWMAN, AGENT FOR THE TOWN OF NEW BRAINTREE.

Upon the Petition of Joseph Bowman Agent for the Town of New Brantree praying for compensation for Damages & losses sustained by said Town in consequence of their making preparations & Provisions for supporting the States Poor.

*Resolved* for Reasons set forth in said Petition that the Prayer thereof be so far granted as that the sum of ninety pounds lawful Money shall be allowed & paid out of the Treasury of this Commonwealth to the said Joseph in behalf & for the use of said town of New Brantree which in addition to the sum of sixty four pounds ten Shillings heretofore allowed for the same purpose shall be in full compensation for all losses & Damages sustained as aforesaid.

*February 25, 1794.‡*

\* Approved February 26, 1794.

† Not printed in previous editions. Taken from court record.

‡ Approved February 27, 1794.



## Chapter 78.

RESOLVE DIRECTING AMASA DAVIS, ESQ. QUARTER MASTER GENERAL TO PROCURE SIX PAIR OF BRASS FIELD-PIECES AND GRANTING HIM £2000.

*Resolved* that Amasa Davis Esqr. Quarter Master General Be And he hereby is, Authorised And Directed, to procure for the use of the Deficient Artillery Companies within this Commonwealth, Six pear of Brass field Pieces with Carriages And Apparatus Compleat — Erect A Stockade around the Powder Magazine in the Town of Boston — And procure for the use of the Commonwealth three tons of powder.

And it is further *Resolved* that there be paid out of the Treasury of this Commonwealth to the Said Amasa Davis two thousand pounds to enable him to perform the Business prescribed by this Resolve — he to be Accountable for the expenditure of the Same. *February 25, 1794.\**

## Chapter 80.†

RESOLVE DIRECTING THE TREASURER TO MAKE REPAIRS TO THE HOUSE WHERE HE NOW KEEPS HIS OFFICE TO THE AMOUNT OF £150.

*Resolved* that Thomas Davis Esqr. be Authorized and Impowerd to make the Necessary Repairs to the House where he now Keeps his office the amount of said repairs not Exceeding one hundred and fifty pounds.

*February 26, 1794.\**

## Chapter 81.

RESOLVE ON THE PETITION OF GEORGE LEONARD, DIRECTING THE TREASURER TO PAY HIM £ 54 19 5.

On the Petition of George Leonard Setting forth that he hath a note of hand against Daniel Leonard an absentee Dated the 18th of May, 1771, for twenty-two Pounds three Shilings and one Peney, money Lent, that on the 22 Day of September, 1783 the Petitioner Recd. four Pounds ten Shilings and Seven Pence half Peney of the Commissioners appointed by Government to Examin the Clames of the Credetors of the Said Daniel which Commissioners allowed the Petitioner's Clame — and whereas

\* Approved February 27, 1794.

† No chapter 79.

it appears there Remains due from the Said Daniel to the Petitioner on Said note including intrust up to the twenty-second Day of this instant February, the Sum of fifty-four Pounds nineteen Shilings and five Pence :

*Resolved* that the Treasurer of this Commonwealth be Directed to pay to the Said George Leonard the Sum of fifty-four Pounds nineteen Shilings and five pence and what further intrust Shall Become due at the time of Payment, out of the first money he Shall Receive for the Rents of the Estate Belonging to the wife of the Said Daniel that was Confiscated — after making the necessary Repairs that he Shall Judge Expediant.

*February 26, 1794.\**

### Chapter 82.

RESOLVE AUTHORIZING THE TREASURER TO MAKE A FINAL SETTLEMENT WITH THE ADMINISTRATRIX OF THE ESTATE OF HIS LATE EXCELLENCY JOHN HANCOCK, ESQ. UPON A NOTE OF HAND SIGNED BY MICHAEL HILLEGAS, ESQ.

Whereas the Administratrix of the Estate of his late Excellency John Hancock Esqr. deceased, has disclosed for Settlement a certain Note of hand dated April 16, 1776 signed by Michael Hillegas for the sum of Twenty five thousand dollars made payable to said John Hancock Esquire, but which note the said Deceased recieved and always held as the property of this Commonwealth; as appears by sundry statements he made in his life time, & endorsements of money which he recieved on said note, but which he paid away to the use & benefit of the Commonwealth: And whereas there are considerable monies still due thereon, which the said Deceased never collected :

Therefore *Resolved*, that the Treasurer of this Commonwealth be, and he is hereby authorised and directed, to make a final settlement with the Administratrix aforesaid, of all accounts of money recieved by said deceased upon said note of hand for this Commonwealth, and upon receiving the Note aforesaid with a power of attorney to recover for this Commonwealth the ballance due thereon, to discharge the said Estate from all demands of this Commonwealth for the said note & for monies that have been recieved in virtue thereof by the said Deceased.

*February 27, 1794.\**

## Chapter 83.

RESOLVE ON THE PETITION OF JOEL DICKINSON, DIRECTING THE TREASURER TO DISCHARGE HIM FROM THE BALANCE OF A TAX.

On the petition of Joel Dickinson praying, for reasons set forth in his petition, that the balance of two taxes committed to him to collect for the year 1780, amountg. to upwards of four thousand pounds in old continental bills may be remitted to him.

*Resolved* that the prayer of the petition be so far granted, that the Treasurer be & he is hereby authorized & directed to discharge the said Joel from the balance of the said tax, *provided* he shall pay into the Treasury in specie the sum of twenty four Pounds by the first day of June next.

*February 27, 1794.\**

## Chapter 84.

RESOLVE DIRECTING THE TREASURER RESPECTING BACK TAXES.

Whereas by the books of the Treasury small arrears on sundry Specie and paper taxes granted by the General Court before, during, and since the late war appear to be due to the Commonwealth; a speedy settlement of which is become highly necessary and expedient to answer the demands of Government, and to render the arrangements of the Treasury as simple and as little expensive as circumstances will permit — a large part of which arrears appear to be due from towns and places which have been authorised to delay payment, till their taxes are become greatly accumulated — to effect such settlement, and to lessen these accumulated burdens, as much as the nature of the case will allow :

*Resolved*, that the Treasurer of this Commonwealth be, and he is hereby, authorised and directed to issue his warrants to the town of Sherburn in the County of Nantucket, requiring the said town to assess and pay into the public Treasury the sum of three hundred fifty four pounds 1/9d specie, being one moiety of the specie part of tax No. 5 required of the said town; and also to assess and pay tax No. 6 required of said town, which sums in arrear, and now required, shall be paid as follows, to wit,

\* Approved February 27, 1794.

one third part thereof on the first day of July next, one third part on the first day of July 1795, and the remaining third part on the first day of July 1796 — and on said town's paying the taxes aforesaid, all other taxes required of the said town prior to tax No. 7 shall be relinquished; and the Treasurer of the Commonwealth, for the time being, shall credit the said town accordingly.

*Resolved* that the said Treasurer be and he is hereby empowered and directed to issue his warrants and executions, (as the case may be,) requiring the several towns, districts, and plantations in the Counties of Hancock and Washington, to assess, collect, and pay into the public Treasury all the taxes required of them as their proportions of taxes No. 6, 7, 8 and 9 and now in arrear; one moiety thereof on or before the first day of January next, and the other moiety on or before the first day of January 1796 — and on any town district or plantations, in said Counties, paying it's proportion of the said taxes as aforesaid, it shall be discharged of all taxes required therefrom by the Commonwealth prior to the said tax No. 6 and receive credit at the Treasury accordingly.

*Resolved* that in all cases where taxes now due and in arrear to the Commonwealth were originally made payable in army notes or Indents, so called, the said Treasurer is hereby authorised and directed to receive payment in the same army notes and Indents, or in the consolidated notes of this Commonwealth allowing the Interest due on the said army and consolidated notes to the first day of July next.

*Resolved* that all the taxes due from the following plantations to the Commonwealth prior to tax No. 6 to wit from No. 7 now Hawley, Raymond'stown, Standish, Washington, Francisborough, and Otisfield be and hereby are abated.

*Resolved* that the foregoing resolutions shall not, in any manner, be construed to repeal or invalidate any former acts or resolves passed by the legislature for the suspending the collection of public taxes in any town, district or plantation for a limited time; or for abating taxes on certain conditions to be performed by any town, district, or plantation; or to affect or invalidate any special provision made for the payment of any particular tax.

*February 27, 1794.\**

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\* Approved February 27, 1794.

## Chapter 85.

RESOLVE ON THE PETITION OF JOSHUA STAPLES.

On the petition of Joshua Staples, setting forth that the wages which were due to him from the treasury of this Commonwealth for his services as a corporal in the late American army have been drawn therefrom by a forged order.

Whereas the facts set forth in said petition appear to be true Therefore *Resolved* that the prayer thereof be granted and that the Treasurer of this Commonwealth be and he hereby is directed to pay and deliver to the said Joshua Staples such notes as he would have been entitled to, if his wages had not been drawn by a forged order in said petition mentioned, in full for his services aforesaid.

*February 27, 1794.\**

## Chapter 86.

RESOLVE ON THE PETITION OF THE INHABITANTS OF HOPKINTON, DIRECTING THE TREASURER TO STAY EXECUTIONS AGAINST SAID TOWN.

On the petition of the Inhabitants of Hopkinton.

*Resolved* that the treasurer of this Commonwealth be and he hereby is directed to stay execution against the town of Hopkinton for any deficiency of taxes levied previous to the year one thousand seven hundred and seventy five untill after the first session of the next General Court.

*February 26, 1794.\**

## Chapter 87.

RESOLVE ON THE PETITION OF THOMAS ROCHE.

On the Petition of Thomas Roche Administrator on the Estate of Fredereck Roche late a metross in Colo. Cranes Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or arrears of Pay due to Frederick Roche late a metross in Colo. Cranes Regiment, and the Treasurer on receiving a warrant therefor is directed to Issue his note or notes to the said Thomas Roche Administrator on the Estate of Frederick Roche in the same way and Manner as has been practiced in paying other Soldiers for Simelar Services.

*February 27, 1794.\**



**Chapter 88.**

RESOLVE DIRECTING THE TREASURER TO SUSPEND ISSUING EXECUTIONS AGAINST THE INHABITANTS OF THE TOWN OF CONWAY.

*Resolved* that the Treasurer of the Commonwealth be and is hereby directed to Suspend issuing Executions against the Inhabitants of the Town of Conway for the remaining Sums due on Taxes Number four & five untill the third Tuesday of the next Session of the General Court.

*February 27, 1794.\**

**Chapter 89.**

RESOLVE DIRECTING THE TREASURER TO STAY HIS EXECUTION AGAINST THE TOWN OF PITTSFIELD.

*Resolved* that the Treasurer of This Commonwealth be and He is hereby directed to Stay Execution against the Town of Pittsfield for a certain Tax Committed to Abijah Hinman a deficient Collector untill the next sitting of the next Genl. Court.

*February 27, 1794.\**

**Chapter 90.**

RESOLVE ON THE PETITION OF THE SELECTMEN OF BARNSTABLE.

On the Petition of the Select Men of Barnstable.

*Resolved* that the prayer of the said Petition be so far Granted, That the Treasurer of this Commonwealth be, and he is hereby Authorized & Directed, to receive of the inhabitants of the Town of Barnstable, the sum of one thousand and forty one pounds, eight shillings, & eight pence, in the Consoladat'd notes of this Commonwealth, allowing interest thereon to the first day [of] July next, which shall be Considered in full of that sum due from the said Town, on the Continental Tax No. 2: *provided* the same be paid within Twelve months from the passing this resolve.

*February 26, 1794.\**

**Chapter 91.**

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BIDDEFORD, REMITTING A FINE LAID ON SAID TOWN.

On the petition of the Selectmen of the Town of Biddeford praying that the fine Set against Said Town for

\* Approved February 27, 1794.

Neglecting to Chose a Representative to Represent them in the General Court in the year 1788 may be Remitted.

*Resolved* that the prayer of Said Petition be Granted & that the Sum of Thirty four pounds Set to the Town of Biddeford as a fine for Neglecting to Chose a Representative to Send to the General Court in the year 1788 be Remitted & the Treasurer is hereby Directed to Govern himself Accordingly.

February 26, 1794.\*

### Chapter 92.

RESOLVE ON THE PETITION OF MARTHA SMITH, DIRECTING JOHN DEMING TO CERTIFY A BALANCE DUE TO ALEXANDER SMITH.

On the Petition of Martha Smith Administratrix on the Estate of Alexander Smith Junr. Late a private Soldier in Colo. Bradfords Regiment.

*Resolved* that John Deming Esqr. Certify to the Governor and Council the pay or Arrears of pay due to Alexander Smith Junr. late a private Soldier in Colo. Bradford's Regiment and the Treasr. on receiving a warrant therefor, is directed to Issue his Note or notes to the said Martha Smith Administratrix on the Estate of Alexander Smith Junr. in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

February 27, 1794.\*

### Chapter 93.

RESOLVE DIRECTING THE ATTORNEY-GENERAL TO PROSECUTE THOMAS FARRINGTON, LATE COLLECTOR OF EXCISE, WITH A PROVISIO.

Whereas Thomas Farrington Collector of Excise for the district of Suffolk, has neglected to render an Account of his collection in that office, to the Treasurer of the Common wealth, according to law, and has also neglected to give bond for the faithful performance of the duties of said Office as by law required :

*Resolved* that the Attorney General be, and he hereby is directed to prosecute said Thomas Farrington for the excise money by him collected, and not accounted for — and the Treasurer is directed to furnish the Attorney General with all the evidence that can be procured of the Money collected by said Farrington as aforesaid.

*Provided nevertheless*, that prosecution against said Farrington shall be suspended till the last day of May next, to give him time to settle his Accounts, and *provided also* that said Farrington shall on or before the tenth day of March next, deliver over to his Successor in the Office aforesaid, all official Books and papers belonging or appertaining to the Office of Excise for the district of Suffolk and Norfolk and upon such delivery he shall be entitled to a Receipt therefor. *February 27, 1794.\**

### Chapter 94.

RESOLVE ON THE PETITION OF WILLIAM RICE, IN BEHALF OF THE TOWN OF SUDBURY, DISCHARGING THE INHABITANTS OF SAID TOWN OF A FINE.

On the Petition of William Rice, in behalf of the Inhabitants of the Town of Sudbury, praying that said Inhabitants may be discharged from a fine of Seventy four pounds one shilling and eight pence, imposed on them for not sending one Man into the then Continental Army, agreeable to a Resolve of the General Court of the 7th of March 1782 — and whereas it appears that said Inhabitants did procure and send into the Service the whole Number of Men required of them by said Resolve, notwithstanding, one of said Men was, nearly one year afterwards, passed to the credit of the Town of West-Stockbridge: therefore

*Resolved*, that for reasons set forth in said petition, the Inhabitants of said Town of Sudbury be, and they are, hereby discharged from the aforesaid fine of Seventy four pounds one shilling & eight pence, and the Treasurer is hereby directed to credit said Town of Sudbury for the aforesaid sum, any Law or Resolve to the contrary notwithstanding. *February 27, 1794.\**

### Chapter 95.

RESOLVE ON THE PETITION OF JOHN STACKPOLE, IMPOWERING THE TREASURER TO CREDIT HIM WITH A SUM OF £29 IN SPECIE.

On the petition of Jno. Stackpole Collector of taxes in the Town of Biddeford in the County of York praying to be credited for Ninety four Pounds three shillings & seven

pence in paper money said to be lost by a Vessell foundered at Sea for reasons set forth in said Petition.

*Resolved*, that the prayer of the Petition be so far granted that the Treasurer of this Commonwealth be & he hereby is impowered and directed to Credit the said John Stackpole the sum of twenty nine Pounds in specie towards the sum now due from said Stackpole to this Commonwealth on taxes.

*February 27, 1794.\**

### Chapter 96.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE DISTRICT OF BETHLEHEM.

On the petition of the Selectmen of the Destrict of Bethlehem praying that they may be Discharged in Tax No. 10 a sum set against said Destrict for Representatives pay — they being[ing] annexed to no Town & having no right to vote for a Representative.

*Resolved* for reasons set forth in said petition that the Treasurer of this Commonwealth is hereby authorized and Directed to Creddet said Destrict the sum of one pound eight shillings in Tax No. 10 it being the sum set against said Destrict for Representatives pay the same to be Added to the next tax of the Town of Sandersfield as part of their Representatives pay.

*February 27, 1794.\**

### Chapter 97.

RESOLVE ON THE PETITION OF BENJAMIN SPAFFORD.

On the Petetion of Benjamin Spafford Gardian to his Daughters Sally Spafford and Polly Adams Spafford Minors under the age of twenty one years Praying that he may be authorized to Make Sale of a Real Estate Belonging to the said Minors Consisting of one undivided third part of one third part of a Dwelling House and Half of a barn about seventy acres of Land in the Town of Rowley and about three acres of Salt Marsh in the Town of Newbury all in the County of Essix; which Estate Came to the Said Minors by Decent from their Late Uncle Jesse Adams Late of said Rowley Deced.

*Resolved* that the Said Benjamin Spafford in his Said Capacity be and he hereby is a[u]thorized to Dispose of the said Estate at publick or private Sale as he shall Judge

\* Approved February 27, 1794.

most for the Benefit of the said minors and to make and Execute a good Deed or Deeds of the same to the purchaser, he the said Guardean first Giving Bond to the Judge of probate for the said County of Essix to account for the proceeds of said Sale with the said Judge or with the said minors when they arrive at full age.

*February 25, 1794.\**

### Chapter 98.

RESOLVE GRANTING NATHANIEL WHEELER, JUN. £.30.

On the petition of Nathaniel Wheeler jr. Matross in the Company of Artillery commanded by Capt. John Johnson in the first division of Militia of this Commonwealth praying compensation for his expences & loss of business in consequence of wounds received by him, by the explosion of a Field Peice on the tenth day of November 1790 when on duty in consequence of orders from the Commander in Chief.

*Resolved* that there be allowed and paid from the Treasury of this Commonwealth to the said Nathaniel Wheeler the sum of thirty pounds as a compensation for his expences & loss of business during his confinement in consequence of the said Wounds.

*February 27, 1794.\**

### Chapter 99.

RESOLVE FOR APPOINTING REFEREES TO SETTLE WITH THE EXECUTORS OF MR. IVERS' ESTATE.

Whereas many Difficulties have arisen respecting a Settlement of the late Treasurer Ivers's Accounts with this Commonwealth & it is expedient that a final Adjustment of the same should be had: Therefore

*Resolved* that the Attorney General be & he hereby is authorised, empowered & directed to have all Disputes & Demands between the Commonwealth & the executor of the last will and testament of the late Treasr. Ivers, determined by Referees, agreeable to the Law intituled "an Act for rendering the Decision of Civil Causes as speedy & as little expensive as possible."

And be it further *Resolved*, that the President of the Senate, & the Speaker of the House of Representatives, together with the Attorney General, shall & hereby are

\* Approved February 27, 1794.



authorised to agree with the Executor of the last Will of said Ivers on judicious & suitable Persons to hear & determine on the Demands aforesaid; and that the award of the said Referees, when made agreeable to said Law, shall be conclusive & binding on the Commonwealth. And upon the Payment of such Ballance as may be found due to the Commonwealth from the Estate of said Ivers, into the Treasury, the Treasurer of the Commonwealth shall give a full Discharge in the behalf of the Commonwealth to the Executor of said Ivers, he paying the same as aforesaid.

And be it farther *Resolved* that the Treasurer of the Commonwealth be, & he hereby is authorised & directed, to lay before the Referees to be appointed as aforesaid, all such Books, Accounts & Papers as may be necessary for their Inspection in the Business aforesaid. And in case the said Executor will not consent to a settlement in the manner prescribed in the foregoing Resolve, it is further *Resolved* that the Treasurer of this Commonwealth be and he hereby is authorised and directed to cause an action or actions to be instituted against the executor of the last will and Testament of Thomas Ivers Esquire decd. late Treasurer of this Commonwealth; and also, if necessary, against the said Iver's sureties for his rendering a Just account in his said office, and pursue the same action or actions for the final recovery of the balance due from the estate of the said Thomas Ivers to this Commonwealth — And the Attorney General of this Commonwealth is hereby directed to assist the Treasurer in conducting the matters aforesaid as the case may require.

*February 27, 1794.\**

### Chapter 100.

RESOLVE GRANTING £20, TO MRS. EXPERIENCE CHALONER.

On the Petition of Experience Chaloner praying that the sum of Twenty Pounds for the last Quarter Pension of her late Husband John Chaloner decd. one of the Pensioners of the Commonwealth tho. a full quarter had not elapsed at the Time of his death, and for the necessary expences of his last sickness be granted to the Petitioner.

*Resolved* that the Prayer of said Petition be granted

\* Approved February 27, 1794.

and that the sum of Twenty Pounds be allowed and paid to the Petitioner out of the Treasury of the Commonwealth for the Reasons set forth in said Petition.

*February 26, 1794.\**

### Chapter 101.

RESOLVE MAKING EXTRA ALLOWANCE TO COMMITTEE ON ACCOUNTS, FOR THEIR SERVICES.

*Resolved* that there be allowed and paid out of the public Treasury of this Common-wealth, to the Committee appointed to examine and pass on Accounts for their service on said Committee the present Session, in addition to their pay as Members of the Legislature — *vizt.* to the honble Joseph Hosmer Esqr. for thirty eight days attendance three pounds three shillings & four pence — to the hon. Stephen Metcalf Esqr. for thirty seven days attendance three pounds one shilling & eight pence to Benjamin Reed Esqr. for twenty six days attendance two pounds three shillings & four pence to Samuel Flagg Esqr. for thirty days attendance two pounds ten shillings — to John Saunders Esqr. for thirty three days attendance two pounds fifteen shillings — which sums shall be in full for their service aforesaid.

*February 26, 1794.\**

### Chapter 102.

RESOLVE ON THE PETITION OF MATTHEW CHAMBERS.

On the petition of Matthew Chambers, a Captain in this States line of the late Continental Army.

Whereas it appears to this Court that the said Matthew Chambers has been injured in his constitution & become infirm & incapable of maintaining himself by labor in consequence of his services in the late Army; and being a foreigner & destitute of natural connections in this country & reduced by poverty:

*Resolved* that there be allowed & paid out of the public treasury, the sum of fifty two dollars annually to the said Matthew, during his natural life, in manner following *viz:* That the Treasurer be & hereby is directed to pay the said sum of Fifty two Dollars annually to the Select men of the Town of Chelmsford, to & for the use of the said Matthew Chambers during his life, to be applied for his

\* Approved February 27, 1794.

support & maintainance in such manner as they shall judge proper. *provided* that the said Chambers shall not become chargeable to the State for his support & maintainence during the term he shall receive said allowance.

*February 27, 1794.\**

### Chapter 103.

RESOLVE GRANTING TO THE CHAPLAIN £.15, AND THE CLERKS OF THE TWO HOUSES, EACH, £.75.

*Resolved*, that there be allowed & paid out of the Treasury of this Commonwealth to the Reverend Peter Thacher Chaplain of the two Houses of the General Court fifteen Pounds; and to Samuel Cooper Esqr. Clerk of the Senate Seventy five Pounds & to Henry Warren Esqr. Clerk of the House of Representatives Seventy five Pounds in full for their services respectively for the present year; And that the Treasurer be & he is hereby directed on receiving a warrant therefor to pay the same out of the same funds, & in the same manner, as the Members of the Genl. Court are paid for their services the present session.

*February 26, 1794.\**

### Chapter 104.

RESOLVE ON THE PETITION OF JONATHAN MAYNARD, ESQ. GRANT TO, FOR THE SUPPORT OF AN INDIAN WOMAN.

On the Petition of Jonathan Maynard Esqr. Guardian of the Natick Indians.

*Resolved* That there be allowed & paid out of the Treasury of this Commonwealth to Jonathan Maynard Esqr. the Sum of Thirty pounds Seven shillings & 4d — in full of his Account for the Support of Elizabeth Ephraim an Indian from the 13 Decr. 1792 to 10th Octo. 1793.

*February 27, 1794.\**

### Chapter 105.

RESOLVE ON THE PETITION OF TIMOTHY WALKER, JUN.

On the petition of Timothy Walker Junr. of Rehoboth in the County of Bristol praying for leave to make sale of a quantity of Land which belongs to his Children in their own right who are Minors.

*Resolved*, that the prayer thereof be granted and the said Timothy Walker Junr. is hereby impowered to sell & give a good and sufficient deed or deeds of the lands mentioned in said petition, he first giving Bonds to the Judge of Probate of said County that the Monies arising from the said sales shall be appropriated for the sole use and benefit of the said Minors. *February 27, 1794.\**

### Chapter 106.

RESOLVE ACCEPTING THE REPORT OF THE COMMITTEE APPOINTED TO SETTLE THE ACCOUNT OF MR. TREASURER DAVIS, WITH DIRECTIONS TO THE SECRETARY.

*Resolved* that the Report of Thomas Dawes and Jonathan Mason Esquires, a Committee appointed by a Resolve of the General Court, of the twenty second day of June last, to examine and adjust the Accounts of Thomas Davis Esquire Treasurer of the Commonwealth, from the sixth day of July one thousand seven hundred & ninety two, to the thirty first day of May, one thousand seven hundred & ninety three, both days inclusive—be, and hereby is allowed and accepted, and the Secretary of the Common wealth, is hereby directed to record said Report in a book to be kept for that purpose—and that the book of Accounts rendered by the Treasurer, accompanying the report of the Committee aforesaid, be also deposited in the Secretary's Office—and be it further *Resolved*, that the Balance due to the Common wealth, from said Thomas Davis as Treasurer, on the thirty first day of May one thousand seven hundred and Ninety three, as stated in the report of the Committee aforesaid, be carried to the Debit of said Treasurer in a new Account.

*February 25, 1794.\**

### Chapter 107.

RESOLVE DIRECTING THE TREASURER TO CONTRACT FOR THE SUPPLIES TO THE CONVICTS AND GARRISON, AT CASTLE ISLAND.

*Resolved*, that the Treasurer of this Commonwealth be and hereby is Authorized & directed to Contract for Supplying the Garreson & Convicts on Castle Island with Provision and Cloathing for the Term of One year Commencing April the first 1794, on Terms most advantageous

\* Approved February 27, 1794.

to Government and that He cause public notice thereof to be given in the Independent Chronicle three Weeks before His entering into such contract, that He shall receive proposals from any person or persons disposed to make the Same under Seal; And shall require bond with good and sufficient Surety in the Sum of five hundred pound from the Contractor or Contractors for the faithful discharge of his or their duty and that the said Contract shall allow the same Articles of Provision & Cloathing to the Garreson and Convicts as is Specified in the Contract made in the year 1792 for that Purpose.

*February 27, 1794.\**

### Chapter 108.

#### RESOLVE ON THE PETITION OF SARAH WALDO.

On the petition of Sarah Waldo praying for Reimbursement of Taxes which she discharged on Confiscated Lands in the Town of Falmouth in the County of Cumberland which she purchased of the Court's Committee in July 1785, with the necessary Charges that arose thereon, said Taxes being Assessed prior to her purchase and when said Lands were the property of the Commonwealth.

*Resolved* that there be allowed & paid to the said Sarah Waldo out of the Treasury of this Commonwealth the sum of One hundred and Thirty four pounds seventeen Shillings & Ten pence in full for the Taxes & Charges aforesaid.

*February 24, 1794.\**

### Chapter 109.

#### RESOLVE ON THE PETITION OF SAMUEL NYE, DIRECTING JOHN DEMING TO CERTIFY THE PAY DUE TO JABEZ NYE.

On the Petition of Samuel Nye Praying for wages due to his Son Jabez Nye a minor who died in the Continental Army.

*Resolved* that John Deming Esqr. Certify to the Govr. and Council the pay or arrears of Pay due to Jabez Nye late a Soldier in Colo. Smiths Regiment and the Treasurer on Receiving a Warrant therefor is directed to Issue his Note or notes to the said Samuel Nye the Father and heir to the said Jabez Nye in the same way and manner as has been practiced in paying other Soldiers for Simelar Services.

*February 27, 1794.\**



**Chapter 110.**

RESOLVE ON THE PETITION OF NEHEMIAH BULL, ESQ. AND THOMAS ALLEN, IN BEHALF OF THE TOWN OF LANESBOROUGH, CONFIRMING THE VOTES AND PROCEEDINGS OF THE PROPRIETORS.

On the Petition of Nehemiah Bull Esqr. & Thomas Allen in behalf of the Town of Lanesborough praying for a confirmation of the Votes & proceedings of the Original Proprietors of the sd. Town of Lanesborough at each & all their Meetings convened in sd. Town.

*Resolved* that the Prayer of said Petition be so far granted that the Votes & proceedings of the sd. Proprietors at each & all of their Meetings holden in sd. Lanesborough as well before the Incorporation of sd. Town as afterwards, be, and hereby are confirmed and render'd valid to all intents & purposes in as effectual a manner as tho. all Applications for Proprietors Meetings were on Record.

*February 27, 1794.*

**Chapter 111.**

RESOLVE ON THE PETITION OF SAMUEL FLAGG, ESQ. DIRECTING THE TREASURER TO ISSUE A NOTE OF HAND FOR THE SUM OF £.110 17 2, FOR INTEREST OF HIS DEMAND.

On the petition of Samuel Flagg praying that Interest Should be Allowed him on the balance of his demand against the estate of Wm. Brown Esqr. from December 31, 1782 untill Jany. 1st, 1791, being the time he received a note from the treasurer of this Common-wealth for said Balance.

*Resolved* that the Treasurer of this Common-wealth be & he hereby is Authorized & directed to Issue a note of hand in favour of said Samuel Flagg in common form for the sum of one hundred & ten pounds, seventeen shillings & two pence bearing date the first day of January A D 1791 in full of said Flaggs demand for interest on said balance.

*February 26, 1794.\**

**Chapter 112.**

RESOLVE ON THE PETITION OF SETH NELSON, EMPOWERING SIMON JACKSON TO EXECUTE A DEED OF A CERTAIN LOT OF LAND.

On the Petition of Seth Nelson praying that Simon Jackson Administrator on the Estate of Elexander Shep-

ard Junr. late of Newton in the County of Middlesex deceas'd may be authorized and impowered to make and execute a good and sufficient deed in his said capacity as Administrator.

*Resolved* for reasons set forth in said petition that the said Simon in his said capacity as Administrator be and hereby is impowered to make and execute a good and sufficient deed of a certain lot of land lying in Shepardsfield (now Hebron) being lot No. 7 in the fourth range in the second division of lots and the deed made and Executed as aforesaid shall be as good and valid to all intents and purposes as if the said Elexander had made the conveyance in his life time. *February 27, 1794.\**

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### Chapter 113.

#### RESOLVE ON THE PETITION OF JACOB PARKER.

On the petition of Jacob Parker praying that a Judgment obtained against him and one Ebenezer Claflin, in favour of this Commonwealth may be discharged on certain Conditions.

*Resolved* That the said Parker and Claflin be hereby discharged from a Judgment rendered against them in favour of this Commonwealth upon a writ of *Scire facias* at the Court of Common Pleas holden at Concord within & for the County of Middlesex on the second tuesday of September *Anno Domini* 1791, *Provided* the said Parker shall first pay to Artemas Ward junr. Esq. one of the Justices of the peace for said County a certain fine of twelve shillings assessed on him by said Justice on the twentieth day of August *Anno Domini* 1789 for a breach of the peace together with the Costs of the prosecution therefor which were taxed against him by said Justice and shall within one month from the passing this resolve procure from said Justice and exhibit to the Clerk of said Court a certificate of said payment; *Provided also* the said Jacob Parker shall within the same space of time pay to the said Clerk the costs which have arisen on said writ of *Scire Facias*. Otherwise the said Judgment of the Court of Common Pleas shall be and remain in full force. *February 27, 1794.\**

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\* Approved February 27, 1794.

**Chapter 114.**

RESOLVE ON THE PETITION OF ABNER COOLEY, DIRECTING THE ATTORNEY-GENERAL TO DEFEND THE ACTION MENTIONED.

On the Petition of Abner Cooley of Deerfield in the County of Hampshire: stating that He purchased, on the third day of September seventeen hundred & eighty three, one hundred and six acres, & three quarters of an acre, of Land, of the Committee, for the sale of Confiscated real Estates, which said land was said to be Confiscated, as belonging to Nathaniel Dickenson late of said Deerfield; and hath been possessed thereof, untill the twentieth day of August last, when he was sued by one Hannah Williams, for Forty five acres of the same Land, Claimed by the sd. Hannah, as having never been the property of the sd. Nathaniel.

*Resolved* for reasons set forth in sd. petition, that the Attorney General is hereby directed, by himself, or some other Person, as he may Judge proper, to defend sd. action at Law, to final Judgment at the Charge of the Commonwealth.

*February 27, 1794.\**

**Chapter 115.**

RESOLVE FOR ADJOURNING THE COURT OF COMMON PLEAS AND COURT OF GENERAL SESSIONS OF THE PEACE IN THE COUNTY OF YORK, AND DIRECTING THE SECRETARY IN THIS CASE.

Whereas the public Fast this year is appointed in the same week wherein the Court of General Sessions of the peace and Court of Common pleas are by law to be holden in & for the County of York, which will render the holding the same at that time inconvenient: Therefore

*Resolved* that the Court of General sessions of the peace and Court of Common pleas which are by law to be holden at York in and for the County of York on the third tuesday of April next be & they hereby are adjourned to the fourth tuesday of April next then to be holden at York aforesaid. And that all actions Suits Matters & things depending in said Courts and all writs Executions Warrants Recognizances and processes returnable to and which would have had day in said Courts at the time when the

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\* Approved February 27, 1794.

same were to have been holden as aforesaid shall be returnable to, have day in & be fully acted upon therein at the time & place to which they are by this resolve adjourned. And all Writs and other processes & Recognizances hereafter to be issued or taken whether made returnable at the time when said Courts were by law to have been holden or to the time to which they are by this resolve adjourned shall be sustained have day and be fully acted upon in said Courts at the time to which they are adjourned as aforesd. And all parties Jurors Witnesses & others who were to have appeared & attended at said Courts at the time when they were to have been holden as aforesd. shall be holden to appear and attend at the time & place to which said Courts are adjourned as aforesd.

And the Secretary is directed to cause this resolve to be printed in the Gazette of Maine—and to send an attested Copy thereof to the Sheriff of the County of York who is hereby directed to post up a Copy thereof at York & such other places in the County As he shall judge expedient.

*February 27, 1794.\**

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### Chapter 116.

RESOLVE AUTHORIZING THE SUPREME JUDICIAL COURT TO ORDER PAY TO CERTAIN WITNESSES WHO APPEARED AT SAID COURT IN THE COUNTY OF WORCESTER, IN APRIL AND SEPTEMBER, 1787.

Whereas Doubts have arisen whether the Supreme Judicial Court are authorized by any existing laws of this Commonwealth to tax the travel & attendance of David Fisk, John Sheppard Paul Goodale, John Potter, James Potter, James Dodd, Israel Davis the 3d, James Davis, Nathan Mann, George Webb, John Dodd, Isaiah Brown, Saml. Chickering and Noah Haven, summoned as witnesses by said Commonwealth to appear before said Court at their sessions at Worcester in the County of Worcester in April & September A D 1787 to give evidence before said Court of what they knew relative to the seditious conduct of sundry persons accused thereof before said Court, which said persons were finally acquitted thereof, whereby said witnesses must loose their said travel & attendance without the Aid of the General Court: Therefore

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\* Approved February 27, 1794.

*Resolved* that the Supreme Judicial Court be and they hereby are authorised & empowered to tax such travel & attendance as it shall appear to said Court that each of said persons summoned as aforesaid did Actually perform and order the same paid to said Witnesses in the same manner other witnesses in behalf of the Commonwealth are paid any law to the contrary notwithstanding.

*February 27, 1794.\**

### Chapter 117.

RESOLVE EMPOWERING THE TRUSTEES OF THE GRAFTON INDIANS, TO EXECUTE A DEED OF CERTAIN LAND, IN FEE SIMPLE, TO JOSEPH AND SIMON BRUCE.

Whereas it appears by a resolve of the General court on the 19th day of november A D 1787 that Edward Rawson Willis Hall and Stephen Maynard Guardians of the Grafton Indians were impowered to Sell about Sixteen acres of Land lying in said Grafton, and that they by their Deed in their Said capacity on the twenty first day of may A. D. 1788, conveyed to Joseph Bruce and Simon Bruce of said Grafton Sixteen acres & five rods of land — And whereas it appears to this court by the Petition & Representation of the Said Joseph & Simon Bruce and by the Certificate of said Guardians that by mistake the land described in said deed is not the Land intended by the Parties to have been conveyed as aforesaid : therefore

*Resolved* that the present trustees or Guardians of the Grafton Indians be and they are hereby impowered to make and Execute a good and Sufficient deed in fee Simple of said land so intended to be conveyed to Said Joseph Bruce & Simon Bruce — *Provided* the said Joseph & Simon Shall at the Same time by good & sufficient deed in fee Simple reconvey to the Said Guardians in trust for such of the said Indians as are intitled thereto the said Sixteen acres & five Rods of Land contained & described in their deed as aforesaid.

*February 27, 1794.\**

### Chapter 118.

RESOLVE ON THE PETITION OF JEDUTHAN WILLINGTON.

On the Petition of Jeduthen Willington Coroner for the County of Middlesex praying for an Allowance of his

\* Approved February 27, 1794.



Accot. for summoning Witnesses in the Prosecution of William Hunt Esqr. & on Complaint against William Hull Esqr. by Order of ye House of Representatives.

*Resolved* that there be allowed & paid out of the Treasury of this Commonwealth to Jeduthan Willington the sum of Seven pounds Six shillings & 2d. in full for the purposes abovementioned.

*February 27, 1794.\**

### Chapter 119.

RESOLVE GRANTING EDWARD McLANE ADDITIONAL PAY.

Upon the petition of Edward McLane praying for further allowance for his services as Clerk in the Secretary's office.

*Resolved* that there be allowed to Edward McLane for his services as Clerk in the said office two shillings per day in addition to eight shillings per day the common establishment from and after the 2d day of July 1792.

*February 27, 1794.\**

### Chapter 120.

RESOLVE ON THE PETITION OF SARAH POWELL AND DAVID MITCHELL, EXECUTORS TO THE ESTATE OF JEREMIAH POWELL, ESQ. DECEASED.

On the Petition of Sarah Powell and David Mitchell Executors of the last Will and Testament of Jeremiah Powell Esqr. late of North Yarmouth deceased.

*Resolved*, that the said Executors be and they hereby are empowered to execute in their said Capacity good and sufficient Deeds to convey all and any parcels of land whereof the said Testator died seized and which in his lifetime he had obliged himself to convey by any Contracts in writing and according to such Contracts, to the persons to whom such Contracts were made, or to their heirs or assigns, upon receiving the full considerations of such Contracts, with lawful Interest; said Executors giving bond, with sufficient Surety or Sureties to the Judge of Probate for the County of Cumberland to account for the proceeds of all such sales according to law — And the Deeds of the said Executors made pursuant hereto, shall have the same force and effect as the Deeds of the said Jeremiah of the same Premises could or might have had.

*February 27, 1794.\**

## Chapter 121.

RESOLVE APPOINTING NATHANIEL BISHOP, ESQ. TO TAKE POSSESSION OF ALL THE PROPERTY BELONGING TO THIS COMMONWEALTH, NOW IN THE POSSESSION OF CALEB HIDE, ESQ. AND LEASE OR SELL THE SAME.

*Resolved* that Nathaniel Bishop Esqr. be and he hereby is Appointed and impowered by due course of Law, or otherwise to take possession of all the property belonging to this Commonwealth now in the possession of Caleb Hide Esqr. late Sheriff of the County of Berkshire, and Lease out the same for one year or sell the same as he shall judge most for the interest of the Commonwealth and make return of his doings as soon as may be to the General Court, — & the Treasurer is directed to pay to the sd. Bishop Ninety pounds to discharge any incumbrances on the said property, *provided* the said Bishop shall think it necessary he to be accountable for the same.

*February 27, 1794.\**

## Chapter 122.

RESOLVE ON THE PETITION OF GEORGE DOMETT.

On the Petition of George Domett praying to be impowered to sell a Moiety of twelve acres of Land the fee of which lies in his Daughter Ann Domett a Minor.

*Resolved* that the Prayer of said Petition be granted, & that the said George Domett be & hereby is authorised & impowered to sell the real Estate of the said Ann situated in Quincy in the County of Suffolk, for the most the same will produce, either at public or private Sale as shall be most for the Interest of all concerned in such Sale, & to make a good & lawful Deed to the Purchaser thereof:

*Provided however*, that previous to such Sale, the said George Domett shall pursue the Rules prescribed by Law for the Sale of real Estate of Minors, & give Bonds to the Judge of Probate for the County of Suffolk with sufficient Sureties that he will lay out the Proceeds of such Sale in other real Estate for the Benefit of such minor, within the Town of Boston, which real Estate shall descend to the said Ann in the same way & manner as it would have done if the mother of the said Ann Domett had died seized of the same.

*February 27, 1794.\**

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\* Approved February 27, 1794.

## Chapter 123.

RESOLVE GRANTING ADDITIONAL PAY TO WILLIAM HARRIS.

On the petition of William Harris, First Clerk in the Secretary's Office praying for an extra allowance.

*Resolved*, that there be allowed & paid out of the Treasury of this Commonwealth to the said William Harris two shillings per day, in addition to his present pay, from the 2d of July 1792.

*February 27, 1794.\**

## Chapter 124.

RESOLVE GRANTING TO CHARLES CUSHING AND JOHN TUCKER, ESQUIRES, CLERKS TO THE SUPREME JUDICIAL COURT, £.120 TO EACH.

On the Petitions of Charles Cushing and John Tucker Esqrs. Clerks of the Supreme Judicial Court, praying for allowance for Services performed in sd. Office.

*Resolved*, that, there be allowed and paid out of the Treasury of this Commonwealth the Sum of one Hundred and twenty Pounds to each, of said Clerks, over and above their fees of Office, as a full compensation, for their Service in said Office.

*February 27, 1794.\**

## Chapter 125.

RESOLVE GRANTING TO ISAAC SEARL £.30 7 8.

Whereas it appears by a Resolution of the General Court of Jan. 29, 1789 that there was due to Isaac Searl, for services rendered, the sum of twenty two pounds, which was intended to have been paid in unappropriated Land; but the same has not been performed: Therefore

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to said Isaac Searl the sum of thirty pounds seven shillings and eight pence, in full for his services mentioned in said Resolve, with the Interest, and expences respecting said Land.

*February 27, 1794.\**

\* Approved February 27, 1794.

**Chapter 126.**

REPORT OF THE COMMITTEE APPOINTED TO EXAMINE THE ACCOUNTS OF THE COMMITTEE FOR THE SALE OF EASTERN LANDS, THAT THEY MAY BE LODGED IN THE SECRETARY'S OFFICE UNTIL THE NEXT SESSION OF THE GENERAL COURT.

The Committee of both Houses appointed to examine the accts. of the Committee for the Sale of Eastern Lands (which include Contracts, Accounts of Sales, sundry expenditures and monies recieved and paid into the Treasury) have attended that service, and upon a general view of the Subject have reason to believe the accounts &c. are properly stated; but as there is not time thoroughly to investigate them, ask leave to report it as their opinion, that the accounts of the said Committee be lodged in the Secretary's office, until the next Session of the General Court which is Submitted.

*February 28, 1794.\**

**Chapter 127.**

RESOLVE ON THE PETITION OF JOHN BACON, IN BEHALF OF THE TOWN OF STOCKBRIDGE, AUTHORIZING THE COMMITTEE ON ACCOUNTS TO EXAMINE THE ACCOUNTS.

On the Petition of John Bacon in behalf of the Town of Stockbridge, praying that the Accounts of said Town for supporting sundary poor persons may be allowed.

*Resolved*, that the prayer of the said Petition be so far granted, that the Committee on Accounts be, and they hereby are authorized and required to examine the said Accounts, and to make such allowance as to Justice may appertain, in the same manner as if the said Accounts had been presented within the time limited by law.

*February 28, 1794.\**

**Chapter 128.**

RESOLVE ON THE PETITION OF DAVID SMEAD, DIRECTING JOHN DEMING TO SETTLE WITH THE COMMITTEE FOR THE SALE OF ABSENTEE'S ESTATES IN THE COUNTY OF HAMPSHIRE AND TO ALLOW THEIR ACCOUNTS.

On the Petition of David Smead Praying that the Committee for the Sale of Absentees Estates in the County of Hampshire May be allowed Twenty Pounds Fifteen Shil-

\* Approved February 28, 1794.

lings for Searching out and Ascertaining Several Estates of Absentees by order of the attorney General.

*Resolved* that the Prayer of the Petition be so far granted that John Deming Esqr. Committee for Settling with the Committees for the Sales of Absentees Estates be & he is hereby Directed to Settle with the Committee for the Sale of Absentees Estates in the County of Hampshire & to allow the whole or Such Part thereof as Shall be Reasonable & Just & Pass the Same to their Credit in the Public Books.

*February 28, 1794.\**

### Chapter 129.

RESOLVE ON THE REPRESENTATION OF STEPHEN JONES, ALEXANDER CAMPBELL AND GEORGE STILLMAN, ALLOWING FURTHER TIME TO THE COMMITTEE FOR THE PURPOSE OF TREATING WITH AND CARRYING INTO EFFECT THE INTENTIONS OF THE GENERAL COURT TOWARDS THE PASSAMAQUODY TRIBE OF INDIANS.

On the Representation of Stephen Jones, Alexa. Campbell, & George Stillman, a Comtee. to confer with ye Passamaquody Tribe of Indians, on the Subject of their Address to the General Court.

*Resolved*, that a further time be & hereby is allowed to the Comtee. aforesaid, for the purpose of treating with, & carrying into Effect, the Intentions of the General Court towards ye Passamaquody Tribe of Indians aforesaid, as signified by Resolves passed March ye 28th 1793; & the sd. Comtee. are hereby authorized, and requested to govern themselves accordingly.

*February 28, 1794.\**

### Chapter 130.

ORDER TO THE SECRETARY TO PUBLISH THE DISTRICTING BILL IN THE INDEPENDENT CHRONICLE AND OTHER NEWSPAPERS IN THIS COMMONWEALTH.

*Ordered*, that the Secretary of this Commonwealth be & he hereby is directed, to cause an Act, passed the present Session of the General Court, for the purpose of districting anew said Commonwealth for the choice of Counselors & Senators, to be published in the Independent Chronicle, & in one news paper in each County where there is a news paper published, for the purpose of giving notice to the Citizens of this Commonwealth, that they may govern themselves accordingly.

*February 28, 1794.*



**Chapter 131.**

RESOLVE GRANTING £.19 10 TO THOMAS GREEN.

*Resolved*, That there be allowed & paid out of the Public Treasury of this Commonwealth, to Thomas Green the sum of Nineteen Pounds ten shillings in full for his services as assistant Clerk to the Senate, the present session of the General Court.

*February 28, 1794.\**

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**Chapter 132.**

RESOLVE ON THE PETITION OF SILAS CONANT.

On the petition of Silas Conant praying that sixty & one pounds may be paid to him out of the monies which the Commonwealth may recover & receive from the sureties of one William Baker who is indicted before the Supreme Judicial Court in the County of Middlesex for forgery, on the forfeiture of said Bakers recognizance; for reasons set forth in said petition.

*Resolved* that the Sheriff of the County of Middlesex for the time being (or any other officer who may receive the same) when he shall receive the sum forfeited as aforesaid, he & he hereby is authorized & directed to pay to said Conant the sum of Sixty & one pound lawful money out of said sum forfeited by said Baker as aforesaid & said Conants receipt shall discharge such Sheriff or officer for that Sum.

*February 27, 1794.\**

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**Chapter 133.**

RESOLVE DIRECTING THE TREASURER TO STAY PROCESS AGAINST THE TOWN OF LEBANON IN THE COUNTY OF YORK.

*Resolved* that The Treasurer of this Commonwealth be and he is hereby directed to Stay Process against the Town of Lebanon in the County of York on a Certain bond given to the Treasurer by the Selectmen of Sd. Lebanon, for the Sum of two Hundred and Seventy three Pounds Seventeen Shillings & Six Pence, untill after the first Session of the Next General Court.

*February 28, 1794.\**

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\* Approved February 28, 1794.

## Chapter 134.

RESOLVE DIRECTING EZEKIEL SAWYER, TO PAY INTO THE  
TREASURY £.10 17 11.

On the petition of Ezekiel Sawyer.

Whereas it appears by the Treasurers books that the sum of thirty two pounds thirteen shillings & ten pence was twice credited Ezekiel Sawyer, Collector of Taxes for the Town of Rowley, in part of Taxes committed to him in the year 1781 :

*Resolved* that on said Sawyers paying into the Treasury of the Common-wealth, the sum of ten pounds [pounds] seventeen shillings & eleven pence, he be discharged from any further demand upon him for Taxes Committed to him in the year one thousand seven hundred & eighty one, to collect for the Common wealth. *February 27, 1794.\**

## Chapter 135.

ROLL, NO. 29.

The Committee on Accounts have examined & passed upon the Accounts now presented, & find the Sums reported & set against the Towns & Persons hereafter named, are due to them, & if allowed will be in full discharge of the Accots. exhibited.

JOSEPH HOSMER *Pr. Order.*

	£.	s.	d.
To the Town of Abington for supporting sundry Paupers from June 1793 to Jany. 1794, . . . . .	33	15	1
To the Town of Acton for supporting Eunice Barber & three Children from June 19, 1793 to Jany. 30, 1794, .	16	0	0
To the Town of Attleborough for supporting John Jane & Wife from Jany. 12, 1793 to Jany. 12, 1794, . . . .	31	6	0
To the Town of Boxborough for supporting John Kennedy & Wife from June 2, 1793 to Jany. 2, 1794, . . .	16	10	0
To Josiah Bartlet for Medicine & Attendance on George Perry & Ralf Higginson from feby. 1793 to Decr. 1793, . . . . .	7	12	6
To the Town of Billerica for supporting Jane Wood from Jany. 93 to Jan. 94, . . . . .	14	6	0
To the Town of Boylston for supporting Robt. Brown including Doer. Bill from feby. 21 to Augt. 1, 1793, .	18	2	6
To the Town of Beverly for supporting Morris Nash & family from feby. 5, 1793 to feby. 5, 1794, . . . . .	15	10	0

\* Approved February 28, 1794.

To the Town of Belcher[town] for supporting James McCammick, Mary Bara & Mary Smith including Doer. Bill from Decr. 8, 1793 to Jany. 1794, . . . . .	£.	s.	d.
	9	5	2
To the Town of Bridgewater for supporting John Chace a Negro from Apl. 10, 1793 to Jany. 1794, . . . . .	7	1	1
To the Town of New Bedford for supporting Phillip Mayson & Ebenezer Shott from Sepr 1793 to Jany. 1794 including Doer. Bill, . . . . .	12	11	10
To the Town of Boston for supporting sundry Paupers from Sepr. 1, 1792 to Decr. 31, 1793, . . . . .	1353	2	9
To Samuel Whitwell for Services as Overseer of the Paupers from Sepr. 1, 1792 to Decr. 31, 1793, . . . . .	105	11	6
To the Town of Concord for supporting Wm. Shaw, from June 93 to Jany. 94, . . . . .	11	10	0
To the Town of Chilmark for supporting Timo. Green & Family from Augt. 1792 to Jany. 1794, . . . . .	8	10	0
To the Town of Charlemont for supporting Jonathan Hill from Jany. 1793 to feby. 1, 1794, . . . . .	17	5	6
To the Town of Charlestown for supporting Ralf Higginson from Sepr. 29 to Novr. 27, 1793, . . . . .	4	0	0
To Mary Cutler for supporting a Child from feby. 93 to Novr. 1793, . . . . .	5	17	0
To the Town of Chelmsford for supporting Thoms. Grant & Wife from May 22, 1793 to Jany. 1794, . . . . .	18	3	1
To the Town of Colrain for supporting sundry persons, paupers including Doer. Bill from Decr. 1792 to Jany. 1794, . . . . .	41	14	7
To the Town of Dedham for supporting sundry paupers from Jany. 1792 to Jany. 1794, . . . . .	81	6	0
To Lydia Dodge for supporting McCommick from Sepr. 21, to Octr. 19, 1793, . . . . .	4	16	0
To the Town of Dracut for supporting John Hancock & Wife from March 1792 to Jany. 1794 including Doer. Bill, . . . . .	21	8	11
To the Town of Buckland for Doer. Saffords Bill for medicine & attend. on sundry Paupers from March 1790 to June 1792, . . . . .	15	0	0
To the Town of Cambrige for Saml. Blodget Bill medicine & attend. from May 1793 to Jany. 1794, . . . . .	0	18	0
To Do. for Doer. John Brooks Bill Medicine & attend. from Apl. 93 to feby. 94, . . . . .	1	4	8
To the Town of Egremont for supporting Edwd. Dayly & family from Jany. 1792 to Jany. 1794, . . . . .	25	0	0
To the Town of Eastown for supporting Abigail Easterbrooks from May 1793 to Jany. 1794, . . . . .	11	10	5
To the Town of Framingham for supporting Polly Saunders from Jany. 1793 to Jany. 1794, . . . . .	2	11	7
To the Town [of] Gloucester for supporting sundry Paupers including Doctr Bills from Jany. 1793 to Jany. 1794, . . . . .	211	9	8
To the Town of Hadley for supporting Mary Bates from Jany. 1793 to Jany. 1794, . . . . .	7	16	0
To the Town of Green for supporting John Chandler from Jany. 1793 to Jany. 1794 including Doer. Bills, . . . . .	16	9	0
To the Town of Groton for supporting sundry Paupers from Jany. 1793 to Jany. 1794 including Doer. Bills, . . . . .	79	11	7
To the Town of George Town for supporting sundry Paupers from Jany. 1793 to Jany. 1794, . . . . .	62	15	0

To the Town of Haverhill for supporting sundry Paupers from Jany. 1793 to Jany. 1794, . . . . .	£. s. d.
To Jesse Houghton for Burying sundry Paupers from Jany. 1793 to Jany. 1794, . . . . .	17 19 1
To the Town of Hopkinton for supporting Patience Brindly & Anna Fanning from Feby. 1793 to feby. 1794, . . . . .	6 6 0
To William Lyman of York for Medicine & Attendance on Sarah Beacom from May to Decr. 1793, . . . . .	13 0 0
To the Town of Lanesborough for supporting Samuel Harrison & family from May 1792 to Octo. 1793 including their Removal from State, . . . . .	8 0 0
To the Town of Lincoln for supporting Thoms. Pocock from feby. 1792 to Jany. 1794, . . . . .	62 1 6
To the Town of Lancaster for supporting Richard Patten from Jany. 1793 to Jany. 1794, . . . . .	18 6 5
To the Town of Mansfield for supporting sundry paupers including Doctr. Bills from feby. 1791 to Jany. 1794, . . . . .	16 18 11
To the Town of Middleborough for supporting Catharine Moore from feby. 5, 1793 to Jany. 1794, . . . . .	73 10 8
To William Moore of Boston his Accot. of sundry Coffins, . . . . .	7 6 8
To the Town of Malden for supporting sundry paupers from feby. 1793 to feby. 1794 including Doctr. Bills, . . . . .	7 0 0
To the Town of Norton for supporting Joseph Pratt & Wife including Doctr. Bill from Octo. 1792 to Jany. 1794, . . . . .	46 3 1
To the Town of Needham for further allowance for support & binding out Marshall Timson a Boy, June 1793, . . . . .	18 17 6
To the Town of Northampton for supporting Mary Davis & others from Apl. 1793 to Jany. 1794, . . . . .	1 10 0
To the Town of Newbury Port for supporting sundry Paupers including Doctr. Bills from Jany. 1793 to Jany. 1794, . . . . .	48 15 3
To the Town of Newton for supporting sundry Paupers from Apl. 1793 to feby. 1794 including funeral Charges, . . . . .	436 12 6
To the Town of Plymouth for supporting sundry paupers from feby. 1793 to feby. 1794, . . . . .	13 14 2
To the Town of Pepperill for supporting Mary Coal from Jany. 1793 to July 1793, . . . . .	76 18 8
To the Town of Plympton for supporting sundry paupers from March 1792 to March 1793, . . . . .	13 0 0
To the Town of Pittstown for supporting Anna Clarke from July 1793 to Jany. 1794, . . . . .	14 12 2
To the Town of Rehoboth for supporting Richd. Bolten, Wife & four Children from Jany. 1793 to Jany. 1794, . . . . .	10 12 3
To the Town of Southwick for supporting George Reed & others from feby. 1, 1793 to feby. 1, 1794, . . . . .	16 3 8
To the Town of Reading for supporting sundry paupers including Doctr. Bill from Jany 1793 to Jany 1794, . . . . .	29 15 8
To the Town of Salem for supporting sundry paupers including Doctr. Bill from Jany. 1793 to Jany. 1794, . . . . .	38 19 6
To the Town of Shelburne for supporting Francis Leicester from 10 feby. to 13 July 1793, . . . . .	566 14 8
To the Town of Situate for supporting sundry paupers from Octo. 1792 to feby. 11, 1794, . . . . .	6 16 11
	11 13 9

To the Town of Sterling for supporting Betsey McLeod & Children from June 1792 to Novr. 1793, . . . . .	£.	s.	d.
To Marshall Spring his Acct. of Medicine & attendance on William Blaver to feby. 1794, . . . . .	31	0	0
To the Town of Shrewsbury for supporting & binding out Joel Gillmore Jany. 1794, . . . . .	8	16	0
To the Town of Uxbrige for supporting Betsey Trifle from May 1793 to Jany. 1794, . . . . .	9	0	0
To the Town of Windsor for supporting Benja. Still & John Dighton from Jany. 1793 to Jany. 1794, . . . .	17	0	0
To the Town of Worcester for supporting James Cambell from Jany. 14, 1794 to feby. 1794 & transporting a french family from sd. Town to Oxford, . . . . .	39	13	0
To the Town of Williamstown for supporting sundry paupers from Sepr. 1793 to feby. 1794, . . . . .	3	9	10
To the Town of Westfield for supporting William Davis from Jany 1793 to Jany 1794, . . . . .	26	2	0
To the Town of Westboro for supporting John Scudmore from June 1793 to feby. 1794, . . . . .	15	13	0
To Nathl. Watson of Cambrige for supporting a pauper [from] from feby. 1793 to feby. 1794, . . . . .	12	17	3
To the Town of Warwick for supporting Phillip Royle & Wife from feby. 1793 to feby. 1794, . . . . .	7	3	4
To Ezra Baker his Acct. of Medicine & attendenc[e] on John Hampton from July 1793 to Jany. 1794, . . . .	15	12	0
To the Town of Waltham for supporting Michl. Conner 8 Weeks including Doctr. Bill, . . . . .	16	15	3
To the Town of Watertown for supporting Samuel Copp & Family including Doctr. Bill from Decr. 1793 to feby. 1794, . . . . .	6	11	6
To the Town of Williamsburgh for supporting Archibal McMellen & Wife from Jany. 1793 to Novr. 6, 1793 including Dr. Bill & funeral Charges, . . . .	12	14	0
To the Town of Westspringfield for supporting sundry Paupers from Jany. 1793 to Jany 1794, . . . . .	22	12	10
To the Town of Wrentham for supporting sundry paupers from May 1793 to Sepr. 1793, . . . . .	15	14	11
To the Town of Wallpole for supporting Sally Davis including Doctr. Bill from Jany. 1793 to Jany. 1794, .	7	6	0
To the Town of Patridgefield for supporting Mary Luce from March 1793 to feby. 24, 1794, . . . . .	16	17	6
To the Town of Natick for supporting Easther Pero an Indian Child from Feby. 1793 to Feby. 1794, . . . .	14	17	0
To the Town of Andover for supporting sundry paupers, from March 1793 to 1st March 1794 including Doctr. Bill, . . . . .	5	4	0
To Town of Roxbury for supporting sundry paupers from Jany. 93 to Jany. 94, . . . . .	49	8	3½
	36	5	0
	<hr/>		
	£.4260	19	1½
	<hr/>		

*Printers Accounts.*

To Thoms. Adams his Accot. for printing Sundries from Feby. 23, 1792 to June 16, 1793, . . . . .	£.	s.	d.
To James R. Hutchins for printing Resolves &c. Sepr. 23, 1793, . . . . .	529	17	8
	2	2	0



To Thoms. B. Wait for printing sundry Acts & Resolves from feby. 1793 to Octo. 1793, . . . . .	£.	s.	d.
	7	6	6
To Benja. Titcomb for printing sundry Acts & Resolves Oct. 1793, . . . . .	2	6	0
To Edwd. E. Powers for printing sundry Acts &c. from Apl. to June 1793, . . . . .	1	11	6
To Edwd. Gray for printing sundry Acts &c. from Ap. 93 to Jany. 1794, . . . . .	6	4	6
	<hr/>		
	£.549	8	2

*Expences of ye Militia.*

To Nathl. C. Allen for his services as Brigade Majr. & Insp. from 1 June 1792 to 24 Jany. 1794. . . . .	£.	s.	d.
	25	16	1
To William Donaldson Esqr. for his Services as Adj. Genl. for the Year 1793 including Office Rent & every other Charge, . . . . .	160	0	0
To Russell Dewey for his Services as adjt. from July 93 to Jany. 94, . . . . .	5	3	0
To Stephen Dewey Jr. his Services as Adj. March 93 to Jany. 1794, . . . . .	7	11	10
To Josiah Dwight his services as Brige Majr. from Feby. 1792 to Jany. 1793, . . . . .	6	16	0
To Simeon Demming his Services as Adjutant June to Decr. 1793, . . . . .	5	5	10
To Josiah Gould his Services as Adjut. Sepr. 1793 to Jany 1794, . . . . .	4	11	0
To Epaphias Hoyt his Services as Adj. Jany. 1793 to Jany. 1794, . . . . .	4	2	6
To Cyrus Homer his Services as Adj. March 1792 to Jany. 94, . . . . .	5	17	8
To Stephen Harden his Services as Adj. from Jany. 93 to Jany. 94, . . . . .	2	8	0
To Daniel Hartwell his Services as Adj. Augt. 1792 to Jany. 1794, . . . . .	4	19	0
To Timo. Jackson his Services Brig. Majr. Apl. 93, to Jany. 94, . . . . .	11	4	0
To William Jeffards his Services as Brig. Majr. feby. 93 to Jany. 94, . . . . .	4	0	0
To William Jeffards to enable him to pay the Members of a Court Martial for the trial of Capt. Walker & Lieut. Stackpole, as pr. Roll, . . . . .	6	8	9
To Simon Larned for his Services as Depy. Adj. Genl. from Jany. 1792 to Jany. 1794, . . . . .	18	6	0
To Volentine Martin for his Services as Adj. Jany. 93 to Jany. 94, . . . . .	2	10	0
To William Mansfield his Services as Adj. Jany. 93 to Jany. 94, . . . . .	4	10	6
To David Manning his Services as Brig. Majr. Jany. 93 to Jany. 94, . . . . .	9	4	0
To Joseph Parker his Services as Adj. Jany. 93 to Jany. 94, . . . . .	5	18	9
To Levi Parker his Services as Adj. Apl. 92 to feby. 94, . . . . .	2	6	9
To John Punchard his Services as Adj. Augt. 93 to Jany. 94, . . . . .	5	1	0
To Merrick Rice his Services as Brig. Majr. Sepr. 92 to Jany. 94, . . . . .	12	10	0

To Azariah Root his Services as Adj. Jan. 1, 93 to Jan. 94,	£. s. d.
To William Seaver his Services as Brig. Majr. Apl. 93 to Jan. 94,	6 18 0
To William Stone his Services as Adj. Apl. 92, to Jan. 94,	16 0 1
To John Smith his Services as Brig. Majr. Jan. 93 to Jan. 94,	12 2 6
To Saml. M. Thayer his Services as Brig. Majr. Jan. 93 to Jan. 94,	12 3 9
To Quincy Thaxter his Services as Adjutant June 92 to Jan. 94,	21 4 2
To Joseph Williams his Services as Depy. Adj. Genl. Jan. 93 to Jan. 94,	2 7 1
To Seth White his Services as Adjutant Apl. 93 to Jan. 94,	15 0 0
To Asa Williams his Services as Adj. Apl. 93 to Jan. 94,	5 10 0
To John Waterman his Services as Adj. May 93 to Jan. 94,	10 11 6
To Abel Wilder his Services as Adj. Jan. 93 to Jan. 94,	5 11 8
To James Avery his Services as Brig. Majr. Jan. 91 to Jan. 93,	9 5 0
To Nathl. Freeman his Services as Brig. Majr. Jan. 93 to Jan. 94,	13 15 0
To John Meachum his Services as Adj. Feby. 93 to Feby. 94,	7 12 0
To Joseph Billings his Services as Adj. feby. 93 to feby. 94,	4 11 8
To Saml. Field his Services as Adj. feby. 93 to feby. 94,	4 18 0
To James Avery his Services as Brig. Majr. June 93 to Decr. 93,	3 0 9
	16 1 0
	<hr/>
	£.481 2 10

*Expences Miscellaneous.*

To John Boyle Esqr. his Accot. of Stationary March 93 to Jan. 94,	£. s. d.
To Jeremiah Bullfinch his Accot. for riding Express to Marblehead Octo. 1793,	45 15 8
To Joseph Blake for Repairs on Senate & Council Chambers to Decr. 93,	1 4 0
To Patrick Connor his Accot. of Horse Hire Octr. 1793,	6 6 9
To Seth Caldwell for transporting field pieces from Boston to Barree in Octo. 1793,	3 18 0
To Daniel Coney Esqr. for Services done by order of Treasr. in Augt. & Sepr. 1793,	11 9 8
To Josiah Carter for transporting Field pieces from Boston to Leominster in 1788, 1790 & 1791,	5 1 9
To John Demming Esqr. for Wood supplied his Office from Novr. 1793 to Feby. 1794,	6 4 0
To Thoms. Dawes & Jona. Mason Esqrs. for examing. Treasr. Accots. & defacing public Securities to Decr. 1793 at £10. each as pr. Resolve,	2 8 0
To John Homer his Accot. of Repairs in Senate & Council Chambers in Decr. 1793,	20 0 0
	9 11 9

To Jacob Kuhn for riding Express to Lincoln & Princeton Octo. 1793,	£.	s.	d.
	2	2	0
To Saml. Laha his Salary for keeping Ransfords Island, bording & burying Jno. Gordon, extra Services & Supplies to the Hospital for the Year 1793,	18	15	2
To Messrs. Mason & Winslow their Accot. of Nails &c. Feby. 94,	4	7	2
To Joseph Pope for Services in surveying the land between Barnstable & Buzzard's Bay in the Yr. 1791,	5	14	0
To Elias Richardson for taking of public Stores in Cambridge & repairs of fences from 1st. feby. 1793 to feby. 1794,	6	12	0
To John Stutson for Repairs in Council & Senate Chambers from Jany. 1793 to Jany. 1794,	5	6	3
To Jona. Stodard for repairing the Hospital Boat from Apl. 1792 to Jany. 1793,	1	13	11
To Bartho. Trow for riding Express to summon Members of Council in Octo 1793,	1	7	0
To Daniel Cowing for his Attendance on Genl. Court the present Session,	13	13	0
To Samuel Foster further allowance as Clerk in the Treasurer' Office in the Year 1792,	12	0	0
To James White his Accot. Stationary supplied the Genl. Court from March 1793 to Feby. 1794,	20	0	8
To Thoms. Walcott his Accot. of Stationary & writing feby. 1794,	1	4	0
To Joseph Laughton his Services as Clerk in the Treasr. Office from 14 Sept. 1793, to feby. 22, 1794,	75	18	0
To Alexr. Campbell Esqr. for his Services to Passamaquodiam to treat with the Indians Octr. 1793,	13	0	0
To George Stillman his Services for Do.,	5	12	6
To Stephen Jones his Services for Do.,	11	11	5
	<hr/> <hr/> £310 16 8		

*Sheriff's Accounts.*

To Jeremiah Allen Esqr. for his Attendance on the Trial of William Hunt Esqr. including under Officers by Order Senate Feby. 1794,	£.	s.	d.
	10	18	0
To Bailey Bartlet Esqr. for Services as Sheriff, pr. Order of Govt. from 1789 to 1793,	9	1	8
To Simon Larned Esqr. for Services as Sheriff, in returning Executions & distributing Warrants to Jany. 1794,	15	4	0
To Bennet Pompelly Depy. Shff. for serving Eight Warrants issued by William Wedgery Esqr. to a Number of Plantations in the County Cumberland 1793,	3	13	8
To John Wait Esqr. for dispersing precepts & returning Votes for federal Representatives &c. Novr. 1792 to March 1793,	9	14	2
	<hr/> <hr/> £48 11 6		

*Amot. of Roll No. 29 passed Feby. 1794.*

	£.	s.	d.
For Support of Paupers, . . . .	4260	19	1½
Expences of Sheriffs, . . . .	48	11	6
Expences of Militia, . . . .	481	2	10
Expences of printing, . . . .	549	8	2
Expences Miscellaneous, . . . .	310	16	8
	<u>£.5650</u>	<u>18</u>	<u>3½</u>

Deduct from the Amot. of the above Roll  
 One Thousand ½ Pounds paid the Town  
 of Boston as pr. Resolve of 22d June  
 1793 which sum is in part payt. of the  
 Accot. herein allowed said Town,

£.1000	0	0
<u>£.4650</u>	<u>18</u>	<u>3½</u>

Read & accepted, & thereupon *Resolved* that his Honor the Lieut. Governour with the advice of Council, be & he hereby is requested to issue his Warrant on the Treasury, for the payment of the several Corporations & persons borne on this Roll the sum set against such Corporations & persons respectively, amounting in the whole to the sum of Four thousand six hundred & fifty pounds, eighteen shillings & three pence half penny.

*February 27, 1794.\**

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\* Approved February 27, 1794.





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SPEECHES AND MESSAGES,  
1792<sup>o</sup>-1793.

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# SPEECHES

OF

HIS EXCELLENCY THE GOVERNOR AND HIS  
HONOR THE LIEUTENANT GOVERNOR,

AND

MESSAGES TRANSMITTED BY HIS EXCELLENCY AND HIS  
HONOR TO THE GENERAL COURT DURING THE LEGIS-  
LATIVE YEARS

**1792-1793.**

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[May Session, 1792.\*]

WEDNESDAY, June 6.

At Eleven o'clock the two Houses assembled in the Representatives Chamber, when His Excellency the Governor came in and made the following speech to them, *viz.*

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

The Candor which my Fellow Citizens have shewn towards me by repeatedly giving me their suffrages for Governor of the Commonwealth & my duty resulting from that office, induce me to request your attendance in this place, that I may pay to you the respect, which is due to the Assembled Representatives of a great & free People —

In times of public danger, & of common calamity, men in office have an opportunity to make a display of ability, firmness & patriotism, but we, Gentlemen, in the present state of our Country, have little more to do, than to improve & enjoy that general tranquility, & those scenes of Public prosperity, which seldom fall to the lot of a Nation. From the characters which compose the Legislature our fellow Citizens must possess the highest assurance, that all the measures of the present year, will be calculated to preserve to the People of United America in general, &

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\* Not printed in previous editions.

to those of this Commonwealth in particular those invaluable blessings —

That a free Government founded in the natural equal rights of all the people, is within the reach of human ability, & to be prized as a principal support of National happiness, is an idea which has been long established in the minds of the greatest & wisest men in the World. The manner in which this State was originally settled by our Ancestors, has given us an opportunity to carry this principle into practice, & our great & unexampled success, has given us cause of gratitude to him who prescribed the bounds of different Nations, & has fully compensated us for all our toil, expence & trouble. —

That Government may be considered as truly free, where all the People are, by the Constitution, & Laws, upon the same rank of privilege, & have an equal security for their lives, liberties & property — Where the Laws do not create, but are calculated to prevent all exclusive rights to fame or wealth, & leave each Citizen upon his own merit for the honors of his Country, & upon his own honest exertions for the acquirement of property. That such a situation as I have hinted at, may be in the possession of every Nation on the earth, is the devout wish of every good Man: And in this Idea, our prayers cannot cease for a People with whom we are nearly allied, & whose generous assistance did much towards promoting the object of our wishes in the time of our distress —

The means most likely to continue our public felicity, are the establishing & executing such Laws, as will tend to support the habits of truth, integrity & every moral virtue: & by certain & adequate punishments, to prohibit all frauds & every immorality & vice: The providing for a regular support of teachers of Piety, religion & morality, & the maintainance of free Public Schools in the towns of the State, by which the children of the poorer, will have equal advantages with those of the richer part of the Community. I am exceedingly gratified in being assured, that these important institutions are so generally attended to by the people of this State. And as I consider our University at Cambridge, as being the principal source of the Learning & Intelligence possessed by this Community, — I cannot but earnestly solicit you to give it your encouragement & support. By these, & other measures which your Wisdom & Prudence will dictate,

under the smiles of that Divine Being who has hitherto afforded us his support, we may hope for a continuance of our Prosperity, & for permanent public happiness. —

We live in a Country that naturally excites the mind to enterprize; giving encouragement to industry, & to that spirit of Commerce which tends to commend a friendly intercourse amongst all the Nations of the Earth, to improve in the Arts, & to render more valuable & important the vast variety of blessings which we possess —

GENTLEMEN,

I have directed the Secretary to lay before you such Acts & proceedings of the Congress of the United States, as have been forwarded to me: Among them, is an Act for regulating the Militia of the States. That Act appears to me to be quite consonant to the Constitution of the General Government, & I shall, as commander in Chief of the Militia of this State take every measure within my power to render the Militia respectable under it.

There is also another Act for the proportion of Representatives to be sent from the States to Congress. Your attention will be immediately called to the forming Districts from whence they are to be Elected in this State. You will in this business be pleased to consider that having the Districts so formed as to give a Center of communication to the inhabitants of each, will have a tendency to promote harmony & unanimity in their proceedings —

In the last Session of the late General Court, I was obliged by a sense of duty to object to a resolve passed by the two Houses for a particular Divorce — I am led to believe that a majority of the Senate & House were of opinion, that the provisions made by the standing Laws of the State, are inadequate to subjects of this nature: If I had been clearly of opinion that the Legislature had a right to dissolve the bands of Matrimony by a special Act, I should have objected to a resolve for that purpose as not being of proper solemnity in the transaction. I wish you, Gentlemen, to revise the laws now existing on this subject; & if the causes as recognized by Law do not comprehend all those for which a Divorce ought to be allowed: You will make such provision as may tend to give relief where it ought to be had. I am obliged however to observe, that this is a subject which ought to be treated with great caution; because, indulgencies of this kind



when established by law are very liable to be abused, to the great injury of Society —

Whether the People have the advantage of a ready & cheap administration of Justice, you, who come from the various parts of the Commonwealth can determine better than I can: if they have not this benefit, you will pay a proper attention to a subject so very important & interesting in its nature. Whether a new arrangement of the Counties will conduce to the saving of expence to the People, may be worthy your consideration: An increase of their number may render the Government very unwieldy, & may have a tendency finally to injure the Commonwealth —

There is yet a debt due from this Commonwealth: it has not been assumed by the Congress, nor provided for by us. Our demand against the United States has not yet been liquidated or allowed by that Government. Justice demands a perseverance in measures that may extinguish the debt & satisfy the just claims of our Creditors —

By the standing laws of the Commonwealth Justices of the Peace are impowered to appoint appraisers of the estates of deceased persons, & such appraisement is frequently the foundation of an Inventory of the personal Estate, which is to be accounted for by Executors, & Administrators — The Executors & Administrators have their Election to apply to such Justice as they please for such appointment; & I am very apprehensive that Widows, Orphans & Creditors may be injured by this method of procedure, while the expence saved by not applying to the Judge of Probate for such appointment is very trifling.

GENTLEMEN,

I shall not detain you further on particular parts of our business, but shall make such communications to you by special Message, as I shall conceive to be necessary, & while I hope that such public business as shall employ your attention will have an early day in the Session, & be laid before me so timely that I shall not be obliged to delay an adjournment after it shall be requested, I shall do every thing within my power to give dispatch to the public business, & to render the Session agreeable to you.

JOHN HANCOCK.

COUNCIL CHAMBER, June 6th, 1792.

[May Session, 1792.\*]

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

The Secretary will lay before you a Letter of Resignation from Major General Titcomb of the second Division of the Militia in this Commonwealth — You will please to take such measures in filling up the vacancy as you shall judge best.

JOHN HANCOCK.

COUNCIL CHAMBER, BOSTON, June 14th, 1792.

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[May Session, 1792.\*]

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

The Secretary will lay before you the Resignation of Major General Newell of the Seventh Division of the Militia in this Commonwealth on account of his ill Health — You will please to take such measures in filling up the Vacancy as you shall judge best.

JOHN HANCOCK.

COUNCIL CHAMBER, BOSTON, June 15th, 1792.

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[November Session, 1792.\*]

THURSDAY, November 8.

The Senators and Representatives assembled in the Meeting House, where His Excellency the Governor made the following speech :

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

I should, for my own, as well as for your convenience, have been glad to have met you at the Ancient Seat of our Government ; but as it has pleased the Most High, to visit that, as well as many other of our Towns, with a troublesome, & contagious disease, I have, with the advice of the Council, thought it most for your Safety & comfort to convene you at this place.

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The ordinary business of the Commonwealth, might have allowed me to indulge the idea of proroguing the Session to January, at which time it may be reasonably expected, that the Capitol will be intirely free from the danger of communicating the infection : but the law having rendered it necessary that the Elections should be determined upon before the first Wednesday in December, I was obliged to yield to the necessity.

I shall not urge upon you any further business at this time, tho' I shall be ready to attend to any matter which you may propose as a necessary measure.

Should you be inclined to attend at this time, to the ordinary business of the Government, I shall beg leave to submit to your attention, the propriety of the Commonwealths becoming interested in the Union Bank: I do this, because, if advantages are to be derived from Institutions of this nature, a participation of them by the State, will be for the interest of all the Citizens: And because, as it is of great importance to the Community to have a proper regulation of the artificial medium current within it, the public safety will be better guarded, by having the Bank more under the Eye of the Legislative power. Should you not have time to attend to this subject at present, you will judge, whether it is expedient to appoint a Committee to consider it in the Recess.

GENTLEMEN —

I am urged by Sense of duty, to communicate to you my mind upon a transaction, which I cannot but consider as an open insult upon the Laws & the Government of the Commonwealth.

In the year one thousand seven hundred & fifty, the Legislature of this then Province of Massachusetts Bay, passed an act, intituled “ An Act to prevent Stage Plays, & other Theatrical Entertainments.” The Act was temporary, & only for four years. Perhaps the improbability of obtaining the Royal Assent to a permanent prohibition of such Entertainments, was the reason, which induced the Legislature to conduct the business in this manner. The Act was continued from time to time by subsequent Acts; & on the second day of July, in the year one thousand seven hundred & eighty five, it was by an Act of the Legislature of the Commonwealth, continued in force until the year one thousand seven hundred & ninety seven.

The preamble of the Act is in these words, “For preventing & avoiding many great mischiefs, which arise from Public Stage Plays, Interludes & other Theatrical Entertainments; which not only occasion great, & unnecessary expences & discourage Industry & Frugality; but likewise tend generally, to increase immorality, impiety & a contempt of Religion.”

Whether the apprehension of the Evils which might flow from Theatrical exhibitions, so fully expressed in the preamble of that Act, are well founded or not, may be a proper subject of Legislative disquisition on a motion for the continuance, or the repeal of the Law; but the Act is now a Law of the Commonwealth; the principles upon which it is predicated, have been recognized by, & derive support from the consideration of several Legislatures; & surely it ought to claim the respect & obedience of all persons who live or happen to be, within the Commonwealth. Yet a number of Aliens & Foreigners, have lately entered the State, & in the Metropolis of the Government, under advertisements insulting to the habits, & education of the Citizens, have been pleased to invite them to, & to exhibit before such as attended, *Stage-Plays, Interludes & Theatrical Entertainments*; under the Stile & Appellation of *Moral Lectures*. This fact is so notorious, that it is in vain to attempt a concealment of it's coming to our knowledge.

Whether the Judicial Departments whose business it is, have attended to this subject or not, I am unable to determine; but this I am convinced of, that no measures have been taken to punish a most open breach of the Laws, & a most contemptuous insult upon the powers of the Government.

You, Gentlemen, are the Guardians of the Commonwealth's Dignity & Honor; & our Fellow Citizens, rely upon your vigilance & wisdom, for the support of the Sovereignty & Importance of the Government. I therefore refer this matter to your determinations; & cannot but hope that your Resolutions & measures, will give efficacy to the Laws & be the means of bringing to condign punishment those who dare to treat them with contempt, or open opposition.

GENTLEMEN, —

The Institution of a Grand Jury in a free Country, appears to me, to be very essential to the preservation of

good Morals & the protection of innocence. It is a great Bulwark to Personal Liberty & Safety: it ought therefore to have the utmost attention of the people; & to be guarded by the Legislature against every possible corruption. The Law of the Commonwealth enacted in the year One thousand seven hundred & eighty four, appears to have been well adapted to this important purpose; nevertheless, by the general practice upon it, we may justly doubt whether it is so well secured as it ought to be -- Tho' the Act provides that Grand Jurors shall be Elected by the Freeholders & legally qualified voters at a regular Town Meeting, yet it is very obvious, that this business is frequently so conducted, that a very few People attend upon it. In this way, men who have their private interest in view, may obtain such Elections as may cause the innocent to be arraigned & suffer the guilty to escape Punishment. If there is any thing which can be done, to support the importance & purity of this Institution, & effectually prevent it's being abused it will be worthy your attention.

I shall be much obliged, by having the Acts you shall see fit to pass laid before me at as early a period as you may find it convenient, & I shall do everything within my power, to render your business pleasant & agreeable.

JOHN HANCOCK.

COUNCIL CHAMBER, CONCORD, November 7th, 1792.

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[November Session, 1792.\*]

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

The Secretary will lay before you the Pay Roll of a Detachment of the Boston Militia which I found myself obliged to order to Castle island to supply the place of the Troops on the Island who were under the operation of the Small Pox. I engaged they should receive their pay for the service agreeably to the terms of the Roll & submit it to your consideration. Their Conduct while on duty merits notice, & I doubt not they will meet yours.

I also transmit to you the account exhibited to me by Doctor William Eustis for his care & attention during the operation of the Small Pox. I cannot omit saying that I

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\* Not printed in previous editions.



was much pleased with his Conduct, & think his charge very reasonable, & beg your consideration of the Account & doubt not your order for the Payment.

JOHN HANCOCK.

CONCORD, NOV. 9, 1792.

[November Session, 1792.\*]

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

If it will not take up too much of your time I should be glad of being indulged at 4 o'Clock this Afternoon to meet both Houses of the Legislature at the Meeting House.

JOHN HANCOCK.

COUNCIL CHAMBER, CONCORD, NOV. 12, 1792.

[November Session, 1792.\*]

MONDAY, November 12.

Agreeably to His Excellency's request, the two Houses convened, and were addressed as follows :

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

By the Constitution of the United States of America, each State is to appoint, in such manner as the Legislature shall direct, Electors of President & Vice President. The Electors are to certify a list of their Votes to the President of the Senate of the United States. As the Electors are to be appointed by the respective States; & as their Votes could not be received without their appointment being certified, it would clearly follow, that the Supreme Executive of each State ought to see that such Certificates were properly made.

By a late Act of Congress, it is Enacted, "that the Supreme Executive of each State *shall* cause three Lists of the names of the Electors of such State to be made & certified & to be delivered to the Electors on or before the first Wednesday in December."

I feel the importance of giving every Constitutional support to the General Government; & I also am convinced that the existence & well being of that Govern-

\* Not printed in previous editions.

ment depends upon preventing a confusion of the authority of it with that of the States seperately. But that Government applies itself to the People of the United States in their natural individual capacity, & cannot exert any force, upon, or by any means controul the Officers of the State Governments as such: Therefore when an Act of Congress uses compulsory words with regard to any Act to be done by the Supreme Executive of this Commonwealth I shall not feel myself obliged to obey them, because I am not in my official capacity amenable to that Government.

My duty as Governor will most certainly oblige me to see that proper & efficient certificates are made of the appointment of Electors of President & Vice President; & perhaps the mode suggested in the Act above-mentioned may be found to be the most proper. If you, Gentlemen, have any mode to propose with respect to the Conduct of this business I shall pay every attention to it.

GENTLEMEN,

I do not address you at this time from a disposition to regard the proceedings of the General Government with a jealous eye, nor do I suppose that Congress could intend that clause in their Act as a compulsory provision; but I wish to prevent any measure to proceed thro' inattention, which may be drawn into precedent hereafter to the injury of the People, or to give a constructive power where the Federal Constitution has not expressly given it.

JOHN HANCOCK.

COUNCIL CHAMBER, CONCORD, Novemr. 12, 1792.

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[November Session, 1792.\*]

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

I by no means wish, by this message, to interfere with your intentions as to a recess, but cannot omit suggesting to you the propriety of appointing a Committee to consider in the recess the present situation of the hackney coaches, and their drivers in the town of Boston; as it

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\* Not printed in previous editions. Taken from court record.

appears to me eligible that some regulations should be determined upon by the General Court that may give a sanction to the Selectmen of Boston to put a stop to the inconveniences that town experiences from the present mode of obstructing the passage through the principle streets in Boston.

JOHN HANCOCK.

COUNCIL CHAMBER, CONCORD, NOV. 15, 1792.

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[January Session, 1792.]

THURSDAY, January 31.

At Twelve o'clock, this day, both Branches of the Legislature being convened in the Representatives' Chamber, agreeably to assignment, His Excellency the Governor came in, and addressed them in the following speech :

*Mr. President and Gentlemen of the Senate, Mr. Speaker & Gentlemen of the House of Representatives,*

My duty requires me to point your attention to such objects as demand the aid of Legislative authority ; but I feel the highest satisfaction in having occasion to congratulate you on the continuance of the internal peace, as well as on the increasing prosperity of our Republic. It must afford you a high degree of pleasure to find that you have nothing before you, but what is incident to a quiet & orderly state of civil Government. A people in the full possession of the right to govern themselves according to their own discretion by the fixed rules of a Constitution of Government, established upon their voluntary consent ; and to seek their own happiness as a Community, without the exercise of any authority over them, excepting what is derived from their own suffrages frequently given, cannot fail of insuring to themselves political prosperity, unless they want wisdom to discern, or virtue to improve their own priviledges.

When we contemplate the Governments of the several States together, with the Federal Constitution, by which they are all united for national purposes, we observe an astonishing accordance of powers raised on the basis of Republican principles. The wheels though of different

diameters turn in concert, and exhibit to mankind the most satisfactory proof that, Governments founded in the ideas of natural equality, can possess more energy than despotism has ever given to those which have been raised by force or fraud, and supported by pretence of hereditary power.

It is the part of a wise people in the day of their prosperity, to recollect the principles which produced their public felicity, or as it is well expressed in the declaration of rights perfixcd to the form of our Government, "A frequent recurrence to the fundamental principles of the Constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry & frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free Government."

Amongst the means by which our Government has been raised to its present height of prosperity, that of education has been the most efficient; you will therefore encourage & support our University and Academies; but more watchfully the Grammar and other town Schools. These offer equal advantages to poor and rich; & should the support of such Institutions be neglected, that kind of education which a free Government requires to maintain its force, would very soon be forgotten.

In the means of education, I do not confine my views to the business of Schools, but extend my ideas to all the Institutions which have a tendency to aid the progress of knowledge and virtue in the mind of the rising generation, and to establish the public opinion in favor of those manly pursuits which render a people truly respectable.

In the system of our Government, and founded in the principles of its Constitution, are a number of laws, calculated to inspire the citizens with a reverence for religion, and a respect for virtue. In this class are the laws against blasphemy and prophanity; and also those which enjoin the observation of holy time, an attendance upon public devotion; and others, making provision for the maintenance of public teachers of piety, religion, and morality. These Institutions have a manifest tendency to establish those habits, from whence will result the punctual performance of civil duties. In another class are found those, which guard the avenues of the heart against corruption and depravity: these prohibit lewdness, intemperance,

gambling, idleness, levity & dissipation of manners. Laws of this nature are important in Government, because they prevent a disposition to those crimes which are dangerous to society; and because the opinion of the Community well and clearly expressed in such institutions inculcate “the principles of humanity, industry, frugality, honesty, sincerity, good humour and all the social affections and generous sentiments amongst the People.”

I have taken occasion thus to express my sentiments to the political Guardians of the State, that my influence may move in support of those principles, upon which the happiness of my fellow citizens so essentially depends.

The Laws against excessive usury, and other species of oppression, are of great consequence, because they protect the distressed part of the Community; and tend to the preservation of that equality of property, without which a popular Government cannot long exist.

I recommend all these laws to your attention, that they may be strengthened where they are weak, & guarded where they may be evaded or subverted by collusion.

I have been informed that, the laws against excessive usury, as well as others, where the forfeiture on the breach accrues equally to the Commonwealth & to the Prosecutor are frequently evaded by the bringing of fictitious suits. This surely ought to be remedied; for it is better that a law should not exist, than that the acts of Legislation should be made a pretext to fraud.

Crimes which are an injury alike to persons & possessions in every Nation are variously punished, according to the genius of the Government against which the offences are committed. In States where the principles of Government are maintained by force upon the fear of the subjects, cruel, and sanguinary punishments are multiplied; but in a free State, directed by the public mind, upon fixed principles of Government, a sense of that honor and dignity of character with which a free citizen ought to be warmed, will be considered as a most powerful incentive to obeying the laws.

The Laws of our Commonwealth contain but few sanguinary Institutions: Burglary is a capital offence, & said to be made such on the idea that he who breaks & enters a dwelling house in the night time with a felonious intention, would probably commit murder if he should meet with resistance. However satisfactory this reasoning may



be, yet as that crime admits of various descriptions in the common Law idea of it, there may be room for legislative interposition. The offender who takes lodgings in the house of another, and stealing property comes out in the night-time, as well as he who breaks a dwelling house in the night, and puts in his hand and steals, is not so highly criminal from the idea of fatal consequences, as he who actually enters the house after he has broken it with a felonious intention. Degrees of guilt demand degrees of punishment, in order to maintain the equity of the Government.

It may be well worthy of your attention to investigate the question whether the infamous punishments of cropping and branding, as well as that of the public whipping post, so frequently administred in this Government, are the best means to prevent the commission of crimes, or absolutely necessary to the good order of Government or to the security of the people. It is an indignity to human nature, and can have but little tendency to reclaim the sufferer. Crimes have generally idleness for their source, and where offences are not prevented by education, a sentence to hard labour will perhaps have a more salutary effect than mutilating or lacerating the human body. I recommend these ideas to your wise deliberations, that such punishments may be provided as, if administred with certainty and inflexibility, may be sufficient to check the progress of crimes, and yet be suited to the genius of a Republic.

The Laws which are the source of distributive justice between citizen and citizen, ought to be readily administred, & the officers who are appointed to discharge this important trust, as well as they who are obliged to execute the laws against criminals, ought to have a reasonable allowance for their services. I am obliged to ask your attention to the established rate of fees in the Government, because that the complaints on this subject are too general to be without foundation; and too loud to be neglected.

GENTLEMEN,

I am informed that, there frequently happens a failure of justice from the legal incompetency of town inhabitants to be witnesses where their towns are parties: In the trials respecting the maintainance of poor persons, the inhabi-

tants of the contending towns are by a particular act made competent witnesses; and as there are so frequently contracts, trusts and other transactions, which are unknown to all excepting the members of the town where they exist; I am inclined to think that, there would be no evil in making the inhabitants competent witnesses in all cases where they have no special or particular interest.

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

The encouragement of Agriculture is of great consequence: We have yet a great extent of valuable land unimproved; and it would be good policy to encourage the migration of foreigners by every reasonable measure.

Perhaps some of the laws formerly made, & now in force, for the regulation of admitting strangers may need a revision.

The encouragement of manufactures is of the next importance. The Cotton Manufactory at Beverly, has received aid from the Government; but it is to be feared that, it will not fully answer the public expectation. The Duck Manufactory has succeeded so well that, it may probably be able to support itself without the continuance of the bounty stipulated by the Government. I mention this the more readily at this time, because there has been, and now is, continued in Boston, a laudable attempt to establish a Glass Manufactory, which may look to the Government for aid and encouragement. Glass is a great article in the Country, and the preparation for making it, is attended with peculiar expences. The Resolve for granting a bounty on Hemp will soon expire; you will therefore consider of the expediency of continuing it for a longer space of time.

GENTLEMEN,

I wish to call your attention to the ideas which I have heretofore suggested, respecting the providing funds for our public debt. The Creditors are patiently waiting, and suffering under expectations for relief from two Governments; but that of this Commonwealth is the only one upon which they have a direct demand.

I also wish to remind you of the sentiments I delivered at the last session respecting the Commonwealth's becom-

ing interested in the Union Bank; and to the other matters suggested at the same time, upon which subjects I shall address you in separate messages, during the present session.

I shall do all within my power to render the session useful to our Constituents, and agreeable to you.

The Secretary will lay before you the acts of Congress, so far as I have received them since your last session.

JOHN HANCOCK.

BOSTON, January 30th, 1793.

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[January Session, 1792.\*]

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

Agreeable to my directions, the Treasurer has laid before me a statement of the Treasury to this period which will give you a general view of the existing demands against the Commonwealth, and the resources for the payment of those demands. You will perceive no notice has been taken of the new emission money either in this, or in his former statements; and the Treasurer is at a loss to determine in what light that money is to be considered; whether as a debt due from the Commonwealth or from the United States: I am informed that the subject has been referred to the Secretary of the Treasury by the House of Representatives of the United States, but I cannot learn that any report has been made — on a partial examination of the amount issued and redeemed of this money the Treasurer has made; I find that there is now outstanding of the new emission bills issued by this Commonwealth two hundred and fifty thousand dollars, exclusive of interest; for this sum no provision is made by Government, except what is due on the new emission tax.

You will perceive that there is now outstanding debts, upwards of five thousand pounds of due bills and orders that are receivable on the loan created by a Resolution of the Legislature of February 23d 1791, if you should think proper to close that loan and direct the Treasurer to make payment in specie for the due bills &c. now outstanding; and also to discharge the remaining third of the notes given, pursuant to the Resolve of February

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\* Not printed in previous editions.

1791 a saving will probably be made to this Commonwealth of more than five thousand dollars.

That you may form an opinion of the ability of Government to make the payments mentioned, you have herewith for your perusal, a Letter from Robert Morris esq. by which you will see, that there will soon be paid into the Treasury more than one hundred thousand dollars, on account of what is due for the western lands. By a Resolution passed July 8th 1786 the Treasurer was directed to continue consolidating public securities for one year from the date of that Resolve, the business of consolidating public securities appears not to be compleated, and several applications have been made to him on the subject; but the time fixed by the Resolution having expired, he does not consider himself authorized to proceed. This circumstance I have mentioned, in order that you may determine what measures are necessary to bring the consolidating business to a close.

Messrs. Edward Payne and son are charged on [the] Books of the late Treasurer, with four thousand seven hundred & sixty four pounds four shillings & eight pence, being so much received by that company on the loan to Government, commonly called the Forty thousand pounds loan; and it appears by an account in the possession of the Treasurer that Messrs. Payne & son paid the greater part of that money to the Commissary and Quarter Master Generals; but the account remains unsettled owing to a charge made by them Gentlemen of two and a half pr. cent as a Commission for doing the business. It is desirable that the account should be closed, not only as it respects the [the] account between Messrs. Payne & son, and the Commonwealth, but also as it respects the account of the Quarter Master General; but as no person can make the settlement unless authorized by the Legislature I would recommend the appointment of some person to compleat that settlement. The Treasurer informs me that, very little alteration has taken place in the amount of the consolidated debt of this Commonwealth, or the funded debt of the United States standing in the name of this Commonwealth in the Books of the Commissioner of loans in this State, since he made a statement thereof, and which he presented to the Legislature during their sessions at Concord, & has in consequence omitted them, in the state of the Treasury.

The Treasurer addressed a letter to me, dated the 25th October last respecting the laws for the collection of taxes; a copy of that letter, as also a statement of the Treasury, I have directed the Secretary to lay before you for your consideration.

JOHN HANCOCK.

COUNCIL CHAMBER, Feby. 2d, 1793.

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[January Session, 1792.\*]

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

I would submit to your consideration a revision of the Laws respecting the Militia of this Commonwealth.

By turning your attention to this important object perhaps you may discover such defects as will be expedient to remedy — If the Legislature should be of that opinion and should appoint a Committee for this purpose, I will direct the Adjutant General to attend the Committee and to lay before them such information as he may be possessed of on that subject.

JOHN HANCOCK.

COUNCIL CHAMBER, BOSTON, Feby. 5th, 1793.

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[January Session, 1792.\*]

*Gentlemen of the Senate & Gentlemen of the House of Representatives,*

I think it my duty to inform you, that the Honorable David Cobb, Peleg Coffin, Samuel Dexter, Artemas Ward, Theodore Sedswick Benja. Goodhue, Fisher Ames, Sher-jashub Bourne, & George Thatcher Esquires, are elected Members of Congress, for two years, beginning on the fourth day of March instant, and that Commissions under the Seal of the Commonwealth have been duly issued to them severally, to empower them to act in that Office.

JOHN HANCOCK.

COUNCIL CHAMBER, March 8th, 1793.

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\* Not printed in previous editions.



# SPEECHES AND MESSAGES,

1793.

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[September Session, 1793.\*]

WEDNESDAY, September 18.

On the first day of the Session, (convened by Proclamation) Sept. 18, the two Houses having assembled in the Representative's Chamber, for the purpose, His Excellency was brought in, (being unable to walk), and addressed them as follows :

*Mr. President and Gentlemen of the Senate, Mr. Speaker and Gentlemen of the House of Representatives,*

The Proclamation by which the General Court is convened, contains a copy of a civil precept, The service of which, on me, and on the Attorney General, was the principal reason of my exercising this part of that authority devolved on me by the Constitution.

The suit commenced by William Vassall, if the commonwealth is held to answer thereon, must be decided on principles very interesting to its welfare as a state.

I cannot conceive that the people of this commonwealth, when they, by their representatives in convention, adopted the constitution of a general Government, expected that each state, should be held liable to answer on *compulsory civil process*, to every Individual resident in another state, or in a foreign Kingdom. Three Judges of the United States of America, having solemnly given it as their opinion that the several states are thus liable. The question then has become highly important to the people.

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\* The following note was prefixed to this speech in the pamphlet edition :—

“The following Speech of His Excellency the late Governor, should have been inserted at the beginning of the Session, but by mistake it was omitted ; it is here inserted, and will be had in remembrance, as the last public Speech of John Hancock.”

I did not find myself authorized, in virtue of my office, as Governor of the Commonwealth to appear either by myself, or by my substitute in any court of Justice, either to deny the authority of the Court over this Government, or to submit to its Jurisdiction, in a point, which I cannot, at present consider as settled: Nor did I conceive, that any other person could have that authority without a special appointment by the Legislature, for that purpose.

The service of this process being laid before the Council, they advised me to call the two Houses into Session. My opinion accorded with their advice, for several reasons; some of which are too obvious to need repeating: Others I will suggest to you.

The demand of William Vassall, if I am not mistaken in his design, and in the tendency of the process, will involve, and conclude a question, of legality on the mode of confiscating the personal estate of that class of people, who in our Laws are denominated Absentees. It is therefore necessary, that effectual measures should be speedily adopted, to prevent a determination which may so greatly injure the interest, and so disagreeably affect the feelings, of the citizens of this commonwealth.

Should you, Gentlemen, be of opinion that by the constitution of the United States, the commonwealth may be compelled to answer on this process, you will make such provision for defending against the suit, as shall appear to you to be proper and expedient.

Should you consider the Commonwealth not to be thus liable, your deliberations will be such, as will tend to procure to the constitution under which this authority is claimed, a more favourable and a more unexceptionable construction. But it may happen that your investigations may lead you to conclude, that the construction given to the Judiciary power of the United States, by three of the Judges, is right, according to the letter of the constitution, and yet, that it will tend to the promotion of peace and harmony in the Union, and to the preservation of our federal Government, so happily established, to procure such alteration in the Judiciary Article, as may secure the states severally in the enjoyment of that share of sovereignty, which it was intended they should retain and possess. In this last case you will direct your measures to that point.

From these considerations, I considered it as absolutely

necessary, that you should be in session at an earlier day, than that to which the General Court stood adjourned. Your deliberations on this subject will take some time & tho' Congress will meet on the first Monday in December yet their session may be short.

You could not therefore after the last Wednesday in January, have time to do what will be necessary. The Court too where this suit is pending will be in session early in February, and the result of the business will be then expected.

I avoid giving an opinion either on the question, whether the commonwealth is liable to be sued or whether if it is so circumstanced, an attempt to procure an alteration is eligible. Yet I consider it to be of the last importance to the happiness and interest of the United States, as well in their united as in their separate capacity, to have this point, properly, satisfactorily and finally settled. It is true, that States, Kingdoms & Empires ought to do Justice, but it is as true, that there are certain inherent principles in the constitution of each, which can never be surrendered, without essentially changing the nature or perhaps destroying the existence of the Government.

I believe, that the Commonwealth of Massachusetts, from the generosity, and good feelings of its citizens, will be always ready, as far as the people's ability shall admit of, to do justice to all men : Yet in order to preserve the peace & safety of the union, and to establish in the bosom of other nations, a confidence in the rectitude of this, it is very proper that there should be a tribunal of Justice, independent of the particular states, which may be resorted to in certain cases. This was intended to be provided for by the federal constitution : but whether the present case is properly before that tribunal, according to that constitution, or whether the process under consideration, is within the intendment of that provision, you will consider.

Whether the provision in the Federal Constitution for the extension of the Judiciary power to states, is intended to be exercised in matters of civil contract, or in other matters which took place before the Government was formed ; or whether it is intended, only to give a remedy for such injuries, as may take place by force, and may therefore have a tendency to destroy the peace of the union, or to involve the nation in a war with a foreign power is of consequence enough to demand a considera-

tion. If the Judiciary power of the Union is to be exercised on questions of civil contracts made by a state, the decision must be had, either on the Laws of the State against which the demand is made, or on those of the state or kingdom, to which the demandant belongs, or on the Laws of the United States: The absurdity of the two first need not be pointed out, but the other would render the legislative authority of Congress over the particular states, as mere corporations, commensurate to the claim of the Judiciary power.

Where the demand shall be for a recompense of damages, resulting from an injury; there the Law of Nations, the Constitution of the United States, & existing treaties will govern the decision. And even in that case, it will be a question, whether it is intended that each state, shall be liable on civil process, to be drawn to the Seat of the Federal Government, and there tried by a Jury of the Vicinage in the same manner as a Corporation would be treated.

Congress, no doubt, should you instruct your Senators on the subject, will take time to consider these questions in proportion to the important light they may appear in.

The Legislature of the Union has never yet contemplated this subject: for in the establishment of the Judiciary System it is entirely neglected: No mention is made in the Acts of Congress of the suability of a State, nor is there any process against a state, provided for in the Laws of the United States.

*Gentlemen of the Senate, & Gentlemen of the House of Representatives,*

When the Government of the United States was proposed to the People's consideration I then was, & yet am, deeply impressed with the necessity "of a more perfect union of the states" than at that time existed, & therefore exerted the share of influence which I possessed in favour of its being adopted. I then considered it as being by no means explicit in the description of the powers intended to be delegated; but trusted that the wisdom of the people would very soon render every part of it definite & certain. The idea, that it is dangerous to examine systems of Government, and to compare the effects produced by their administration, with the principles on

which they were raised, is inadmissible among a free people. If the people are capable of practicing on a free Government, they are able, without disorders or convulsions to examine, alter and amend the systems which they have ordained. And it is of great consequence to the freedom of a nation to review its civil constitution, and to compare the practice under it, with the principles upon which it depends. The tendency of every measure and the effect of every precedent ought to be scrupulously attended to, and critically examined. This is the business of the representatives of the people, and can never be by them confided to any other persons.

The great object presented to us by our political situation, is the support of the general Government, the giving force & efficacy to its functions, without destroying the powers, which the people intended to vest and to reserve in the State Governments.

A Consolidation of all the States into one Government would at once endanger the nation as a republic, & eventually divide the states united or eradicate the principles which we have contended for.

It is much less hazardous to prevent the establishment of a dangerous precedent than to attempt an abolition of it after it has obtained a place in a civil institution.

Your fellow-citizens anxiously wait the event of your deliberations on the important business before you: And I, as one of them, rest satisfied, that the result will be such, as will establish the rights of the commonwealth, and give support & efficacy to the General Government. In this view and in every other, in which the peace, liberty, and safety of our fellow-citizens, not only of this state but of the United States are concerned, rest assured Gentlemen that no effort nor zeal on my part shall be wanting. I shall therefore only add, I will do every thing in my power to expedite the business of the session and to render it as little expensive to our Constituents, as exigencies will admit.

JOHN HANCOCK.\*

COUNCIL CHAMBER, BOSTON, September 18th, 1793.

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\* Signature missing, but the following note appears: "The name of 'John Hancock' was cut from the above speech by me. Chas. Calhoun, Clerk of Senate. June 10, 1836."



[September Session, 1793.]

*Gentlemen of the Senate and Gentlemen of the House of Representatives,*

In pursuance of information I received from the Selectmen of the town of Boston, that an infectious destemper was prevalent in the city of Philadelphia which proved very mortal. In consequence of which I gave orders to the Commanding officer at the Castle to stop all vessels at the Castle coming from Philadelphia & there to detain them untill the Selectmen shall examine into the state and circumstances of said vessels, giving them the earliest notice, and to follow such orders, as he might receive from them consistent with the laws made for the preventing of infectious disorders in the town of Boston & from the latest intelligence from Philadelphia it appears that the disorder rages with still greater violence.

I would therefore submit to the consideration of the General Court, whether they will think it expedient to take measures to prevent the disorder being communicated by land, or by letters at the post office, or any other or further measures, as they may judge prudent.

JOHN HANCOCK.

COUNCIL CHAMBER, Sept. 19th, 1793.

[September Session, 1793.\*]

*Gentlemen of the House of Representatives.*

A Resolution passed the two branches of the Legislature March 19th last, on the memorial of John Lucas in favor of Thomas Bowling & others, which I find originated in the House, — had the time admitted of it, I should have submitted my objections to their consideration, being fully confident that had they known the circumstances of some of those mentioned in said resolution, they would have reconsidered the grant made to them — Some of those persons I refer to, are in the Almshouse of Boston, and have been there several years at the expence of the Commonwealth. I thought it my duty to acquaint some Gentlemen with my objections to the signing said Resolve — in hopes that the House would have moved the same to be laid upon the table for their consideration, but

\* Not printed in previous editions.

I suppose it was so near the close of the session it was omitted.

The case of Thomas Bowling I think is truly pitiable, and should be glad to relieve him, if agreeable to the House, in any way they shall think proper.

JOHN HANCOCK.

COUNCIL CHAMBER, Sept. 24th, 1793.

[September Session, 1793.\*]

*Gentlemen of the Senate, and Gentlemen of the House of Representatives,*

The Commanding Officer at the Castle has represented to me that the state of the garrison is very much weakened by sickness and desertion. Yesterday five of the Soldiers deserted after they had received their quarter's pay; & the garrison was nine short of the full compliment before this circumstance took place. That he is obliged to put the Bargemen on duty which highly disaffects them. It appears that the uneasiness of the soldiers of the garrison arises from the lowness of their pay, and they are so inclined to desert that the officer commanding there dares not trust them to leave the Garrison for any purpose; so that unless measures are taken to quiet their minds, the Convicts will soon be destitute of a guard, which will be attended with disagreeable circumstances. I therefore would submit the s[t]ate of the garrison and Convicts to the consideration of the two [two] branches of the Legislature to adopt such measures as they shall think necessary.

JOHN HANCOCK.

BOSTON, Sept. 27th, 1793.

[September Session, 1793.†]

Address of the two branches of the Legislature in answer to the Governor's Speech of Sept. 18, 1793.

*To His Excellency John Hancock Esqr. Governor of the Commonwealth of Massachusetts.*

*May it please your Excellency,*

The Resolution adopted upon the subject on which the Legislature has been convened, will convince your Excel-

\* Not printed in previous editions.

† Not printed in previous editions. Taken from court record.

lency how justly we appreciate the vigilance and propriety of your conduct on this interesting occasion.

With respect to the suit of William Vassall against the Commonwealth no answer will be made; but at the same time, it may not be improper to observe, that if he shall exhibit to the Legislature, an equitable claim against the Commonwealth, in the manner heretofore practiced, justice will be extended to him, in common with all others.

The Legislature need only add, Sir, that they earnestly wish for the happy recovery and re-establishment of your Excellency's health, as a relief and comfort to your friends, and a blessing to your Country.

*September 28, 1793.*

[January Session, 1793.]

FRIDAY, January 17, 1794.

At twelve o'clock this day, agreeably to previous appointment, his Honour the Lieutenant-Governor came to the House of Representatives, and the Senate being convened, before the two Branches, he pronounced, *ad memoritor*, the following speech :

*Fellow Citizens, the two branches of the Legislature,*

It having pleased the Supreme Being since your last meeting in his holy Providence to remove from this transitory life our late excellent Governor HANCOCK, the multitude of his surviving fellow citizens, who have often give strong testimonials of their approbation of his important services, while they drop a tear, may certainly profit by the recollection of his virtuous & patriotic example.

You are sensible, that on this melancholly event, our Constitution directs that the Lieutenant Governor for the time being, shall perform all the duties which were incumbent upon him, & exercise all the powers & authorities, during the vacancy of the Chair, which by the Constitution he was vested with when personally present. Diffident as I am of my abilities, I have yet felt myself constrained, to undertake the performance of those duties & the exercise of those powers & authorities, in consequence of a Sovereign act of GOD. — To him I look for that wisdom which is profitable to direct. The Constitution must be

my rule, & the true interest of my Constituents, whose Agent I am, my invariable object.

The People of this Commonwealth have heretofore been possessed of the entire sovereignty within & over their own territories. They were not controulable by any other laws, than those to which their constituted representative body gave their consent. This I presume was the case in every other State in the Union. But, after the Memorable declaration of their Independence was by solemn treaty agreed to & ratified by the British King, the only power that could have any pretence to dispute it, they considered themselves decidedly free & independent of all other people. Having taken rank among Nations, it was judged that their great affairs could not well be conducted under the direction of a number of distinct Sovereignities. — They therefore formed & adopted a Federal Constitution; by which certain powers of Sovereignty are delegated & entrusted to such persons as they shall judge proper from time to time to elect, — to be exercised, conformably to & within the restrictions of the said Constitution, for the purposes of strengthening & confirming the Union, & promoting the safety & happiness of the confederate Commonwealth. All powers not vested in Congress, remain in the separate States to be exercised according to their respective Constitutions. — Should not unremitting caution be used, least any degree of interference or infringement might take place, either on the rights of the Federal Government on the one side, or those of the several States on the other. Instances of this kind may happen, for infallibility is not the lot of any man or body of men, even the best of them on Earth. The human mind in its present state being very imperfect, is liable to a multitude of errors. Prejudice, that great source of error, often creeps in & takes possession of the hearts of honest men, without even their perceiving it themselves. Honest men will not feel themselves disgusted when mistakes are pointed out to them, with decency, candor, & friendship, nor will they, when convinced of truth, think their own dignity degraded by correcting their own errors.

Among the objects of the Constitution of this Commonwealth, Liberty & Equality stand in a conspicuous light — It is the first article in our declaration of rights, “all men are born free & equal, & have certain natural,

essential & unalienable rights." — In the supposed state of nature, all men are equally bound by the laws of nature, or to speak more properly, the laws of the Creator: They are imprinted by the finger of God on the heart of man. Thou shalt do no injury to thy neighbor, is the voice of nature & reason, & it is confirmed by written revelation. In the State of nature every man hath an equal right by honest means to acquire property & to enjoy it; in general, to pursue his own happiness & none can consistently controul or interrupt him in the pursuit. But, so turbulent are the passions of some, & so selfish are the feelings of others, that in such a state, there being no social compact, the weak cannot always be protected from the violence of the strong, nor the honest and unsuspecting from the arts & intrigues of the selfish & cunning — Hence it is easy to conceive that men, naturally formed for society, were inclined to enter into mutual compact for the better security of their natural rights. In this state of Society, the unalienable rights of nature are held sacred: And each member is intitled to an equal share of all the social rights — No man can of right become possessed of a greater share: If any one usurps it, he so far becomes a tyrant; & when he can obtain sufficient strength, the people will feel the rod of a tyrant. Or, if this exclusive privilege can be supposed to be held in virtue of compact, it argues a very capital defect; & the people, when more enlightened will alter their compact, & extinguish the very idea.

These opinions, I conceive to be conformable to the sentiments held up in our State Constitution. It is therein declared, that Government is instituted for the common good; not for the profit, honor, or private interest of any one man, family or class of men. And further, all the inhabitants of this Commonwealth having such qualifications, as shall be established by their Constitution, have an equal right to elect or be elected for public employments.

Before the formation of this Constitution it had been affirmed as a self evident truth, in the declaration of independence, very deliberately made by the Representatives of the United States of America in Congress assembled that "all men are created equal, and are endowed by their Creator with certain unalienable rights." This declaration of Independence was received and ratified by all



the States in the Union & has never been disannulled. May we not from hence conclude, that the doctrine of Liberty and Equality is an article in the political creed of the United States.

Our Federal Constitution ordains that no title of nobility shall be granted by the United States. The framers of that Constitution probably foresaw, that such titles, vain & insignificant in themselves might be in time, as they generally and I believe always have been, introductory to the absurd and unnatural claim of hereditary and exclusive privileges.

The Republic of France have also adopted the same Principle & laid it as the foundation of their Constitution. That nation having for many ages groaned under the exercise of the pretended right claimed by their Kings and Nobles until their very feelings as men were become torpid, at length suddenly awoke from their long slumber, abolished the usurpation, and placed every man upon the footing of equal rights. All men are born free and equal in rights, if I mistake not is their language.

From the quotations I have made, I think it appears, that the Constitutions referred to, different as they may be in forms, agree altogether in the most essential principles upon which legitimate Governments are founded; I have said essential principles, because I conceive that without Liberty and Equality, there cannot exist that tranquillity of Mind which results from the assurance of every citizen that his own personal safety and rights are secured — This I think, is a Sentiment of the celebrated MONTESQUIEU, and it is the end and design of all free and lawful Governments. Such assurance, impressed upon the heart of each, would lead to the peace order and happiness of all. For I should think, no Man in the exercise of his reason would be inclined in any instance, to trespass upon the equal rights of Citizens, knowing that if he should do it he would weaken and risque the security of his own. Even different Nations, having grounded their respective Constitutions upon the aforementioned Principles, will shortly feel the happy effects of mutual friendship, mutual confidence and united strength. Indeed I cannot but be of opinion that when those principles shall be rightly understood and universally established, the whole family & brotherhood of Man will then nearly approach to, if not fully enjoy, that state of peace and

prosperity, which antient Prophets and Sages have foretold.

I fear I have dwelt too long upon this subject. Another presents itself to my mind which I think is indeed great & important; I mean the Education of our Children and Youth, perhaps the minds even of Infants may receive impressions good or bad, at an earlier period than many imagine. It has been observed that education has a greater Influence on manners, than human Laws can have. Human laws excite fears and apprehensions least crimes committed may be detected and punished: But a virtuous education is calculated to reach and influence the heart, and to prevent crimes. A very judicious writer has quoted PLATO, who in shewing what care for the security of States ought to be taken of the education of Youth speaks of it as almost sufficient to supply the place both of Legislation and Administration. Such an education which leads the youth beyond mere outside shew, will impress their minds with a profound reverence of the Deity, universal benevolence, & a warm attachment & affection towards their Country. It will excite in them a just regard to Divine Revelation, which informs them of the original character & dignity of Man, & it will inspire them with a sense of true honor, which consists in conforming as much as possible, their principles, habits and manners to that original character. It will enlarge their powers of mind, & prompt them impartially to search for *truth* in the consideration of every subject that may employ their thoughts; & among other branches of knowledge; it will instruct them in the skill of political architecture and of Jurisprudence, and qualify them to discover any error, if there should be such, in the forms and administration of Governments, and point out the method of correcting them. But I need not press this subject, being persuaded, that this Legislature from the inclination of their minds, as well as in regard to the duty enjoined by the Constitution, will cherish “the interest of Literature, the Sciences & all their Seminaries.”

*Fellow Citizens —*

Legislation is within your departments yet the Constitution assigns a part to be taken by the Governor, when Bills and Resolves, intended to operate as Laws, shall be presented to him, which is, merely to state objections if

he has any, of which the Legislature will judge and finally determine. Let me intreat you to dispatch the weightier business so early in the Session as to afford me opportunity to perform my duty, with due consideration and care.

I have communications to make, such as the state of the Treasury — of the military stores belonging to the Commonwealth, & others which I will transmit to you by the Secretary.

SAMUEL ADAMS.

COMMONWEALTH OF MASSACHUSETTS, January 17th, 1794.

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[January Session, 1793.\*]

*Gentlemen of the House of Representatives,*

I have considered a Bill to incorporate Benjamin Greenleaf Esqr. and others for the purpose of establishing a Woolen Manufactory. It is a Bill of very considerable importance to the Interests of the Commonwealth. There is, but one objection to it, in my Mind, which is, that there is no limitation of annual income of estates real and personal to be held by the corporation. Such limitation has been provided in all acts of Incorporation, made by the Legislature of this Commonwealth, which I have had opportunity to observe, particularly the act for promoting Agriculture. It appears to me to be a wise precaution.

I have returned to you the Bill; you will please to consider my only objection and determine as in your own wisdom shall seem meet.

SAML. ADAMS.

COUNCIL CHAMBER, BOSTON, Feby. 3d, 1794.

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\* Not printed in previous editions.



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